



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

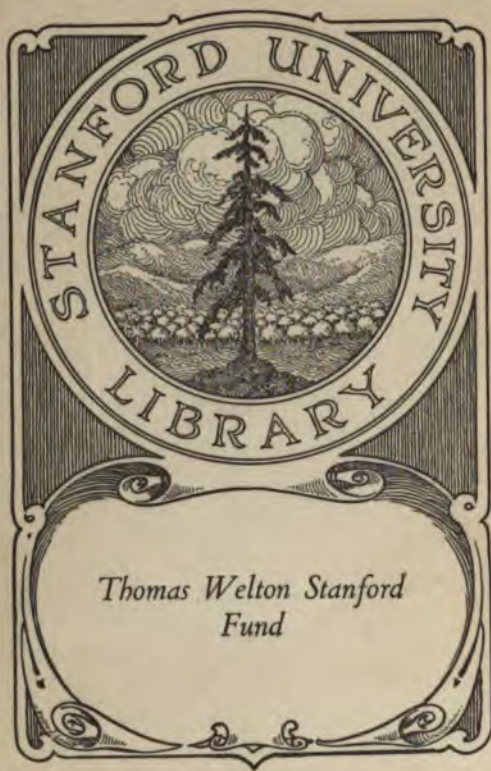
Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

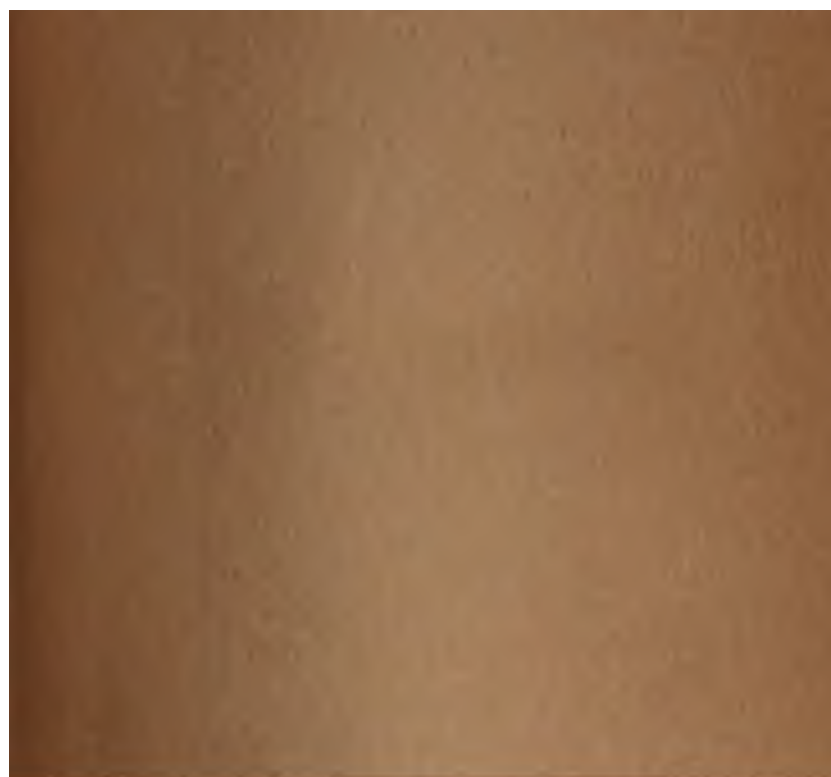
We also ask that you:

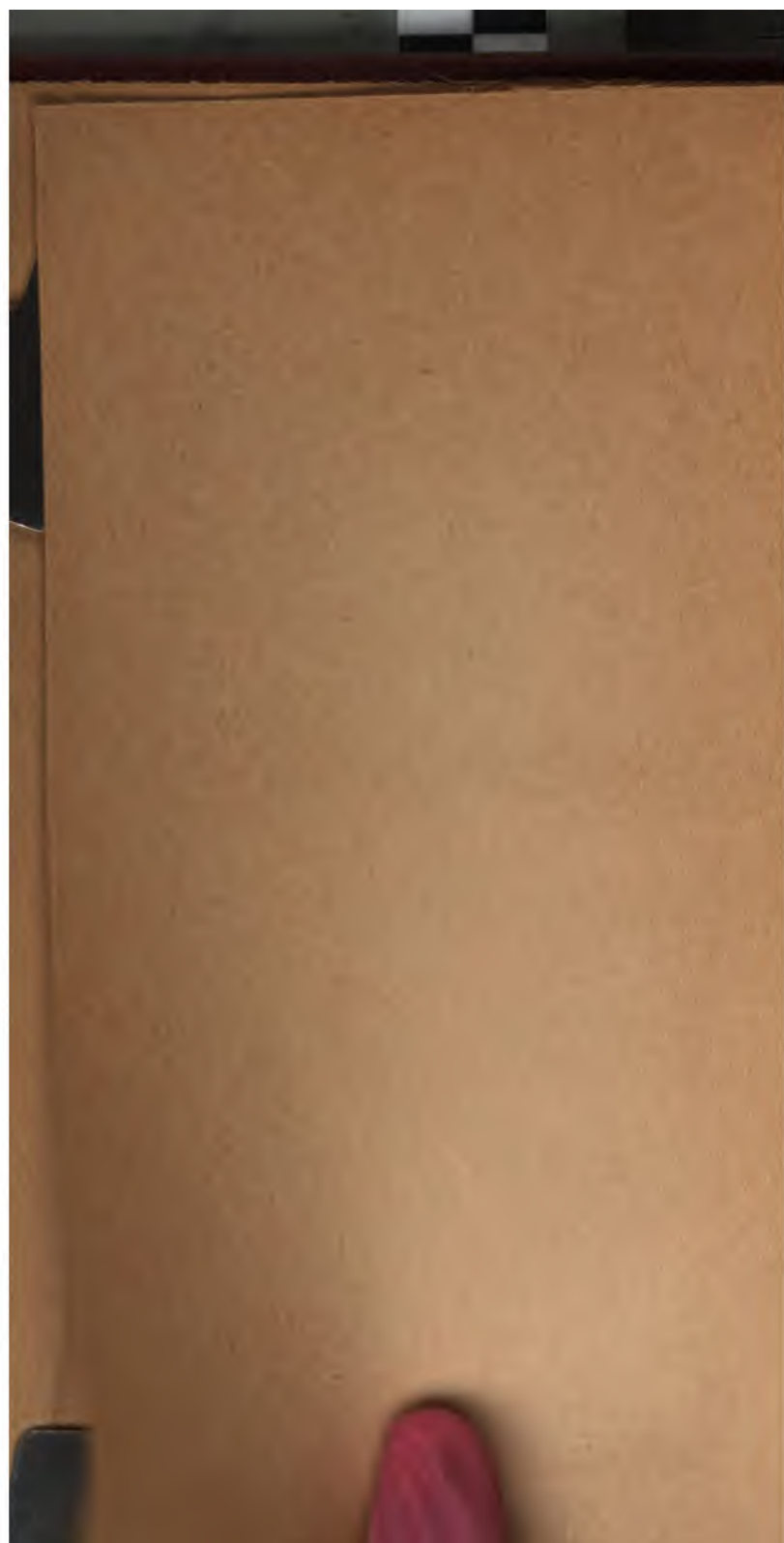
- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

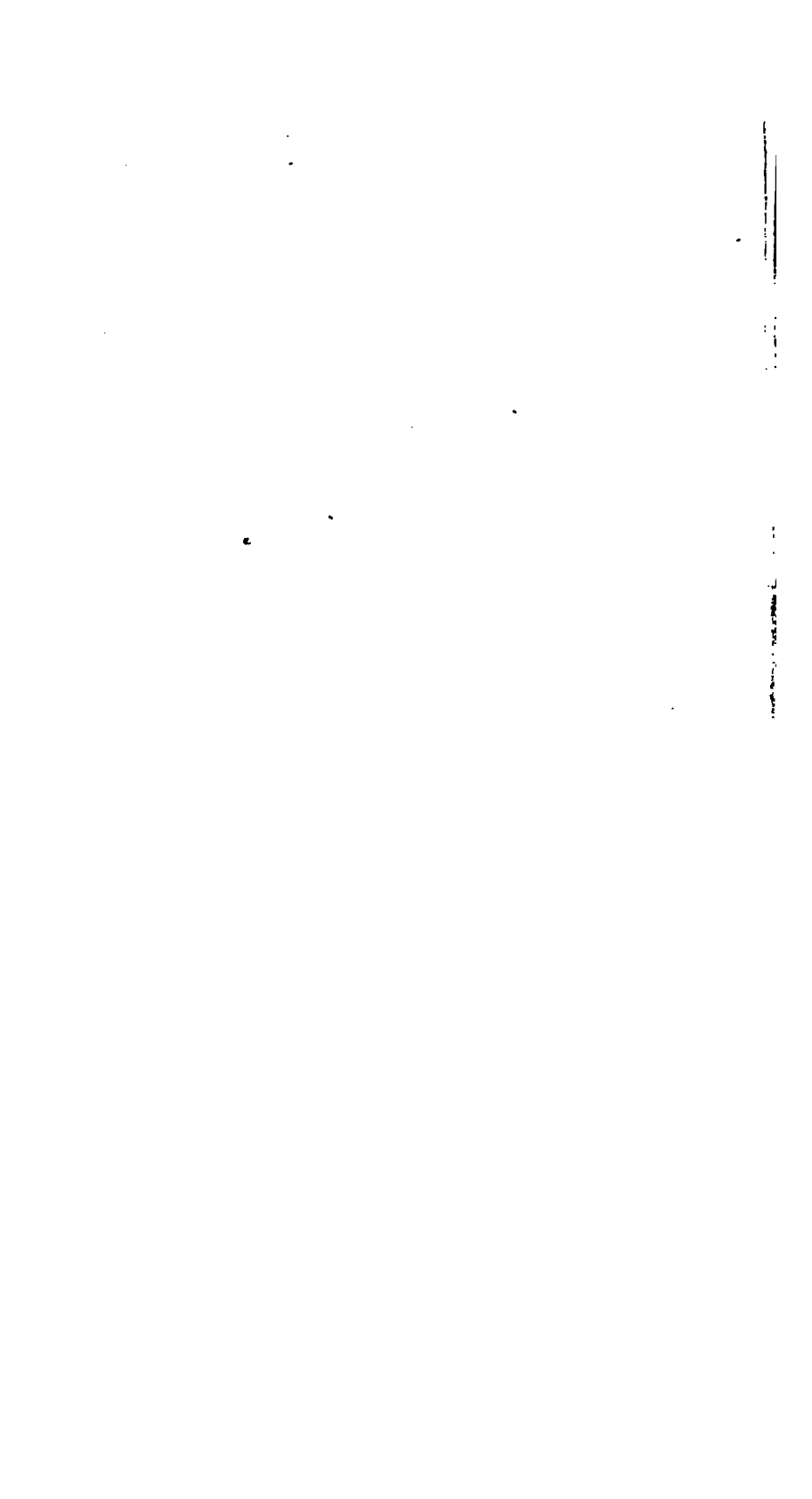














THE
ANNUAL REGISTER,
OR A VIEW OF THE
HISTORY,
POLITICS,
AND
LITERATURE,
For the YEAR 1819.



LONDON:

PRINTED FOR BALDWIN, CRADOCK, AND JOY;

**J. OTRIDGE; J. CUTHELL; LONGMAN, HURST, REES, ORME, AND BROWN;
E. JEFFERY AND SON; LACKINGTON AND CO.; J. BELL; J. ASPERNE; AND
SHERWOOD, NEELY, AND JONES.**

1820.



a. 35063.

D
2
A7

PREFACE.

THE domestic annals of the year 1819 are replete with subjects of deep, but, on the whole, of painful interest. Pecuniary distress has been nearly universal: the agricultural, the commercial, and the manufacturing interests, have all labored under depression and embarrassment seldom equalled, and none of them yet appear to have attained the crisis of their difficulties.

That portion of the people engaged in the labors of husbandry, little susceptible, from their dispersed habitation and rustic manners, of political excitement, endured the evils of their lot without audible murmurs, or any expression of hostility against the established order of society, or the conduct of government. In some manufacturing districts also, severe distress was sustained with mute resignation; in others the case was widely different: Political agitators, taking advantage of the general misery to gain the attention of the laboring class, went about industriously disseminating their doctrines through the great centres of manufacture in Lancashire, Yorkshire, Warwickshire, and the south-west of Scotland; and field-meetings of hundreds and thousands were repeatedly assembled to listen to harangues on the abuses of government, and on the necessity of a radical reform of the House of Commons as a first step towards the alleviation of the distresses of the country. A spirit was thus excited among the people which was contemplated by the administration, and by the higher classes in general, with jealousy and alarm. The Prince Regent issued a proclamation against seditious meetings, and soon after, an assemblage at Manchester, summoned to petition for parliamentary reform, was dispersed by military force. This act of power, followed up by various strong measures on the part of government, and especially by the enactment of five new bills, restricting in several important points the liberty of the subject, put a sudden check upon the active measures of the reformers;

reformers; but not without the dangerous effect of re-kindling throughout the country, the flame of political animosity.

Some efforts were made to disburthen the country of a population felt to be redundant, in the present depressed state of commerce and manufactures, by affording encouragement to emigration. In the first session of the year a parliamentary grant of 50,000*l.* was voted, for the purpose of establishing settlers on the eastern border of the colony of the Cape of Good Hope. Means were also taken to invite public attention to the advantages promised to free settlers on the shores of the great Austrasian continent, and a second exploratory journey undertaken by direction of the governor of New South Wales, has discovered a large tract of fertile and uninhabited land ready to become an additional province of the future British empire in the southern hemisphere.

The poor-laws, with the influence exerted by them on the condition moral and political, of the lower classes;—the state of prisons and of prison discipline;—and the state and actual operation of that portion of the criminal laws under which capital punishment is denounced;—all subjects of high importance, and bearing upon each other by several points;—have undergone the laborious and able investigation of parliamentary committees; and copious extracts from their reports and minutes of evidence will be found in this volume. These documents, which are not regularly accessible to the public at large, will, it is hoped, be regarded as a valuable addition to the contents of an Annual Register; at a period, especially, when the sciences of legislation and of political economy are cultivated with an ardor absolutely unprecedented, and when the active benevolence so long characteristic of the English nation, is daily becoming, under their guidance, more reflecting, and more enlightened.

CONTENTS.

GENERAL HISTORY.

CHAPTER I.

The Prince Regent's Speech, passed by Commission [2]

CHAPTER II.

Discussions respecting the Person to whose Care the Trust of his Majesty's Person should be committed; carried on by the Lords and Commons [8]

CHAPTER III.

Mr. Tierney's Motion for a Committee on the State of the Circulating Medium, and on the Continuance of the Bank Restriction.—Lord Castlereagh's Motion for a Select Committee [27]

CHAPTER IV.

The House of Commons in a Committee on the Exchequer Consolidation Acts.—The Chancellor of the Exchequer moves for a Committee on the Consolidated Fund Produce Bill.—The House of Lords reads for the third time the Bill for rendering the Produce of the Consolidated Fund available for the Public Service, which passes.—The Earl of Harrowby's Report from the Select Committee.—The same in the House of Commons..... [38]

CHAPTER V.

Sir James Mackintosh's Address respecting the Criminal Laws.—Trial by Battle Abolition Bill.—First Report of the Secret Committee, on the Expediency of the Bank resuming Cash Payments.—Proceedings in both Houses respecting the Claims of the Roman Catholics [47]

CHAPTER

CHAPTER VI.

Parliamentary Proceedings.—Second Report on Resumption of Cash-Payments.—Motion for a Committee on the Royal Burghs of Scotland.—Army Estimates.—Marquis Camden's Tellership Bill.—Foreign Enlistment Bill.—Motion on the State of the Nation.—Motion for considering of Parliamentary Reform.—Revisal of Fitzgerald Attainder.—Motion for an Address respecting the Slave Trade.—Bill for Encouragement of Emigration to the Cape of Good Hope.—Budget.—Speaker's Speech.—Prince Regent's Speech.—Prorogation [65]

CHAPTER VII.

Reform Meetings at Manchester and Leeds.—Female Reformers.—Meeting at Glasgow.—Second Meeting at Leeds.—Circular Letter of Lord Sidmouth.—Meeting for choosing a Representative at Birmingham.—Resolutions of the Lancashire and Cheshire Magistrates.—Proclamation against Sedition.—Mr. Hunt at Manchester.—Reform Meeting there.—Its Dispersal by the Military.—Thanks of the Prince Regent.—Proceedings against Mr. Hunt and others.—Other Reform Meetings.—Riots at Paisley.—Subscriptions for Manchester Sufferers.—Conduct of the Grand Jury.—Address of the Corporation of London.—Prince Regent's Answer.—Other Addresses.—Meeting at York.—Dismissal of Earl Fitzwilliam.—Loyal Addresses.—Associations for raising Yeomanry.—Inquest on John Lees [103]

CHAPTER VIII.

Prince Regent's Speech.—Amendment to the Address in the House of Lords.—Amendment in the House of Commons.—Documents on the State of the Country.—Traverse Bill in the House of Lords.—New Legislative Measures proposed in the House of Lords.—The same in the Commons.—Motion for Inquiry into the State of the Nation.—House of Lords.—The same in the Commons.—Navy Estimates.—Training Bill, and Search for Arms Bill.—House of Lords.—Protest against Search for Arms Bill [116]

CHAPTER IX.

Seizure of Arms Bill in the House of Commons.—Training Bill passed in the Commons.—Blasphemous and Seditious Libel Bill in the House of Lords.—Protests.—Libel Bill in the House of Commons.—Seditious Meetings Bill in the House of Commons.—The same in the House of Lords.—Protest.—Lord John Russell's Motion for Reform in Parliament.—House of Commons.—News-paper

CONTENTS.

vii

paper Stamp Bill in the House of Commons.—The same in the House of Lords..... [140]

CHAPTER X.

FRANCE.

Proposal for changing the Election Law carried in the Chamber of Peers.—Fifty-four new Peers created in consequence.—Election Law in the Chamber of Deputies.—Report of Commissioners on it.—Statement in the Chamber of Deputies respecting the Persecution of Protestants in the South.—Threatened Renewal of Disturbances at Nismes.—Protestant Petition.—The Budget.—Law on the Liberty of the Press.—Society of Friends of the Liberty of the Press.—Debate on the Return of Exiles.—State of the French Church.—Letter of the Clergy to the Pope.—Reception of the Missionaries at Brest.—Ordinance for the Building of Churches.—Report on the State of the Establishment.—King's Speech on re-opening the Chambers... [164

CHAPTER XI.

SPAIN.

Death of the deposed King of Spain.—Design baffled by this Event.—Spread of Disaffection in Spain.—Organised Bands of Robbers.—Conspiracy in Valencia.—Severe Measures and Proclamation of General Elío.—Fresh Change of Administration.—Cadiz Expedition.—Causes of its long Delay.—Mutiny among the Troops of the Expedition.—How quelled by Count Abisbal.—Ruin of the Expedition.—Disgrace of Abisbal.—Further Proceedings of General Elío.—Resistance of the Magistrates.—Authority assumed by the Inquisition.—Ravages of the Yellow Fever.—Decree of the King respecting his Re-marriage.—Reception of the new Queen in Spain..... [178

CHAPTER XII.

GERMANY.

Political State of Germany in general.—Hanover.—Meeting of the Diet.—Important Reforms carried.—New Constitution formed for the Diet.—Wurtemberg.—Popular Principles of the King.—Assembly of the States.—Formation of a new Constitution.—Triumphal Reception of the King by his Subjects.—Bavaria.—First Meeting of the States General.—Gracious Speech of the King.—Reduction of his Army.—Prussia.—Delay in the formation of a new Constitution.—Free spirit of the German Universities.—Kotzebue appointed literary and political Agent of the Emperor of Russia.—His Assassination.—General Alarm.—Proceedings of the Diet at Frankfort respecting the

the Universities.—Declaration of the Saxon Princes.—Foreign Students quit Jena.—Attempt against M. Ibel.—Arrests and Examinations.—Secret Societies suspected.—Protestations against the Measures of the Prussian Police.—No Plot detected in Prussia.—Coercive Measures of the Diet.—Central Commission at Mentz.—Severities against popular Writers in Prussia.—Sandt transferred to Mentz.—Persecutions of the Jews in many parts of Germany.—Strong Measures of the Conference of Carlsbad in their favour [182]

CHAPTER XIII.

NETHERLANDS.—Law respecting Trade with Sweden.—Speech of the Minister to the States General on closing the Session at Brussels.—Royal Speech on opening the Session at the Hague.—SWEDEN.—Negotiations respecting the Payments due to Denmark.—Final arrangement of this Affair.—Parga and the Ionian Isles.—Cession of Parga to Ali Pasha by the British.—Tax opposed by the Legislative Assembly of the Seven Islands.—Insurrection in Santa Maura. [192]

CHAPTER XIV.

ASIA.

HINDOSTAN.—Return of the Governor-General to Calcutta.—His Answer to an Address from the Inhabitants.—Appa Sahib.—Deposition of the Peishwa.—Settlement of the Pindarries.—Military Transactions.—General Results of the War.—CEYLON.—Suppression of the Insurrection.—Punishment of the Leaders.—Protest of Sir S. Raffles against the Proceedings of the Dutch in the Malayan Archipelago.—Treaties formed with the Princes of Sumatra..... [199]

CHAPTER XV.

NORTH AMERICA

Refusal of the United States to admit Consuls from the Republics of South America.—Negotiations with Spain respecting the Cession of Florida.—Decision of Congress on the Seminole War.—Negro Conspiracy in Georgia.—Discussions on Slavery in Missouri.—Number of Slaves in the United States.—Commercial embarrassments.—Address of the President on returning to Washington.—European Emigrants.—Official Letter respecting them [233]

CONTENTS.

ix

CHAPTER XVI.

SOUTH AMERICA.

VENEZUELA—*Expedition of Morillo against Angostura defeated—Revolution of New Granada.—Victory of Bojaca.—Flight of the Viceroy.—Occupation of New Granada by the Army of Venezuela—Buenos Ayres—Operations in Chili* 241

CHRONICLE.

<i>Births</i>	108
<i>Marriages</i>	109
<i>Promotions</i>	112
<i>Deaths</i>	115

APPENDIX TO CHRONICLE.

<i>Convention between his Britannic Majesty and the United States of America</i>	120
<i>Proclamation in the name of his Majesty George III., of the United Kingdom of Great Britain and Ireland, King, Major-General Ralph Darling, commanding in the Island of Mauritius, &c.</i>	122
<i>Proclamation by his Royal Highness the Prince Regent</i>	124
<i>Thanks of the Prince Regent to the Manchester Magistrates and Yeomanry</i>	126
<i>Papers relating to the Congress at Aix-la-Chapelle</i>	ibid
<i>Ordinance of the Senate of Lubeck</i>	137
<i>Ordinance of the King of Spain addressed to the Prime Minister and General Secretary of State</i>	ibid
<i>Treaty between the States of Buenos Ayres and Chili</i>	139
<i>Report on the Seminole War.—United States.—Senate in Congress</i>	141
<i>Proclamation by Lord Cochrane, Vice-Admiral of Chili, Admiral and Commander-in-Chief of the Ships and Vessels of the States</i>	154
<i>Substance of the Convention concluded between Norway and Denmark</i>	ibid
<i>Propositions of the Minister of his Imperial and Royal Apostolic Majesty, President of the Germanic Diet, to the Diet sitting at Frankfort</i>	155
<i>Edict of Censorship for the Kingdom of Hanover</i>	156
<i>Prussian Edict of Censorship</i>	157
<i>Decree of Regulation for Provisional Execution relative to Article 2 of the Act of Confederation</i>	158
<i>Provisional Decree relative to the Measures to be taken concerning the Universities</i>	159
<i>Decree relative to the Measures for preventing the Abuses of the Press</i>	160
	Decree

<i>Decree relative to the formation of a Central Commission, for the purpose of Ulterior Inquiry respecting Revolutionary Plots, discovered in some of the States of the Confederation</i>	162
<i>Circular of the Cabinet of Berlin, to its Ambassadors, Ministers and Diplomatic Agents at Foreign Courts.....</i>	ibid
<i>Decree.—The Supreme Director of the State of Chili</i>	169
<i>Treaty of Amity, Settlement and Limits, between the United States of America and his Catholic Majesty.....</i>	170
<i>Message of the President of the United States.....</i>	175
<i>Annual Treasury Report of the United States</i>	185
<i>Of the Revenue ..</i>	ibid

REMARKABLE TRIALS AND LAW CASES.

<i>Dring v. Campbell</i>	187
<i>Oakes v. Wiggins</i>	188
<i>Berthon and Costar v. Loughnan and another</i>	191
<i>The King v. the Parish of St. Mary, Canterbury.....</i>	195
<i>Christie v. Jones.....</i>	196
<i>Forged Bank Notes—Ransom v. Fish</i>	200
<i>Young v. Wright and another</i>	202
<i>Rennie v. Cropper</i>	204
<i>French v. Giles</i>	ibid
<i>Cramp and another v. Bayley (Clerk)</i>	209
<i>Rex v. Sir Manasseh Lopez, bart.....</i>	210
<i>In the matter of the Ship Asia</i>	213
<i>Cutting and Maiming.....</i>	214
<i>Hayes, falsely called Watts v. Watts.....</i>	219
<i>Gordon v. Gordon</i>	221
<i>The King v. John Hudson and John Jones.....</i>	222
<i>Vale v. O'Brien and Simpson</i>	224
<i>Stak v. Scammel.....</i>	227
<i>Murder.—The King v. Frances Clark, alias Putavin.....</i>	229
<i>The King v. Souter and Holles.....</i>	232
<i>Arson</i>	234
<i>Bedford Charity.....</i>	236
<i>Conspiracy to raise the Wages of Weavers at Blackburn</i>	242
<i>Burglary.....</i>	244
<i>Stabbing.—Henry Stent</i>	251
<i>Libel.—The King v. Richard Carlisle</i>	260
<i>.....Do.....Do</i>	261
<i>Man v. Davis (Clerk)</i>	265
<i>The King v. Joseph Taylor and John Earnshaw.....</i>	266
<i>Criminal Informations</i>	270
<i>Curling v. Buck</i>	273
<i>Butcher v. Campbell and others.....</i>	274
<i>Wallace, Executrix, v. Good</i>	277
<i>Curtis v. Kingdom.....</i>	278
<i>The</i>	

CONTENTS.

xi

<i>The King v. W. Borough, esq. and J. Magrath</i>	283
<i>The Ship Prins Frederick</i>	268

<i>Public General Acts, passed in the First Session of the Sixth Parliament of the United Kingdom of Great Britain and Ireland—59 GEO. III. A. D. 1819</i>	289
<i>Colonists to the Cape of Good Hope</i>	314
<i>Patents</i>	299
<i>Bill of Mortality</i>	305
<i>Price of Stocks</i>	306
<i>Table of Bankruptcies</i>	307
<i>Average Prices of Corn</i>	ibid
<i>Quantity of Porter brewed by the eleven first Porter Breweries, in 1819</i>	ibid

PARLIAMENTARY REPORTS, AND ACCOUNTS.

<i>Report of the Commissioners appointed for inquiring into the Mode of preventing the Forgery of Bank Notes</i>	309
<i>First Report of the Commissioners appointed to consider the subjects of Weights and Measures</i>	315
<i>Extracts from the Report of the Committee on the Poor Laws</i>	319
<i>Extracts from the Report of the Select Committee appointed to consider so much of the Criminal Law as relates to capital Punishment for Felonies</i>	336
<i>Report on Gaols</i>	363
<i>Report from Select Committee on Acts respecting Insolvent Debtors</i>	385
<i>The Finance Accounts of the United Kingdom of Great Britain and Ireland, for the Year ended the 5th January, 1819</i>	393

CHARACTERS AND ANECDOTES.

<i>Napoleon Buonaparte</i>	425
<i>Pope</i>	446
<i>Swift</i>	447
<i>The Regent Duke of Orleans</i>	448
<i>Reparce of Atterbury</i>	ibid
<i>The Pretender</i>	ibid
<i>Mr. Howe</i>	452
<i>Horace Walpole</i>	454
<i>Biographical Account of Samuel Lysons, esq.</i>	461
<i>Biographical Memoir of Mr. Professor Playfair</i>	462
<i>Biographical Memoir of James Watt, esq.</i>	464

STATISTICS AND HISTORY.

<i>Extract from Hallam's Europe</i>	466
---	-----

<i>Origin of the Pindaries</i>	496
<i>Conduct of the Imperial Government at Venice</i>	501

MANNERS, CUSTOMS, AND LOCAL DESCRIPTIONS.

<i>Description of Abano</i>	511
<i>Description of the Sette Comuni</i>	515
<i>Venetian Festivals</i>	519
<i>State of Society, &c. in the United States</i>	524
<i>Persian Ambassador in London</i>	533
<i>Description of Modern Agra</i>	536
<i>Discoveries in New South Wales</i>	539

MISCELLANIES.

<i>Monastic Schools in Russia</i>	546
<i>Discovery of Antiquities in Egypt</i>	ibid.
<i>On Larch Timber, by the Duke of Athol</i>	548

NATURAL HISTORY.

<i>Earthquake in the Caraccas</i>	551
<i>Scenery on the Rio Apure</i>	553

POETRY.

<i>To Britain</i>	557
<i>Crabb's Tales</i>	559

THE
ANNUAL REGISTER,
For the Year 1819.

GENERAL HISTORY.

CHAPTER I.

THE first session of the sixth parliament of the united kingdom of Great Britain and Ireland having assembled on the 14th of January 1819, the Prince Regent appointed Sir Richard Richards, Lord Chief Baron of the Court of Exchequer, to sit in the place of the Lord Chancellor during the time of his temporary absence. This was accordingly effected with due solemnity; and certain lords Commissioners were put in nomination, of whom the Lord President of the council, the earl of Harrowby, took the lead. A number of members of the House of Commons being then introduced, they and the Lords were informed by the Lord President, that, it not being convenient for the Prince Regent to

attend in person, he had been pleased to cause a commission to be issued under the great seal authorizing the Lords and Commons to open this parliament. After this form had been complied with, the Commons withdrew, and the Houses were adjourned during pleasure.

The choice of a Speaker to the House of Commons was the next object for consideration; and on the same day, the right hon. Robert Peel rose, after a complimentary speech, to propose the right hon. Charles Manners Sutton, to fill for a second time the same distinguished post. He was seconded by lord Clive; and the House now loudly calling upon Mr. Manners Sutton to occupy the chair, he was conducted,

2] ANNUAL REGISTER, 1819.

amidst the unanimous cry from all parts of the House, to his seat.

On the 21st of January, the Lord Chancellor read the Prince Regent's Speech, the contents of which were to the following effect:

My Lords and Gentlemen;

We are commanded by his Royal Highness the Prince Regent to express to you the deep regret which he feels in the continuance of his Majesty's lamented disposition.

In announcing to you the severe calamity with which it has pleased Divine Providence to visit the Prince Regent, the Royal Family, and the nation, by the death of her Majesty the Queen of the United Kingdom, his Royal Highness has commanded us to direct your attention to the consideration of such measures as this melancholy event has rendered necessary and expedient with respect to the care of his Majesty's sacred person.

We are directed to inform you that the negotiations which have taken place at Aix-la-Chapelle, have led to the evacuation of the French territory by the allied armies.

The Prince Regent has given orders, that the convention concluded for this purpose, as well as the other documents connected with this arrangement, shall be laid before you; and he is persuaded that you will view with peculiar satisfaction the intimate union which so happily subsists among the powers who were parties to these transactions, and the unvaried disposition which has been manifested in all their pro-

ceedings for the preservation of the peace and tranquillity of Europe.

The Prince Regent has commanded us further to acquaint you, that a Treaty has been concluded between his Royal Highness and the government of the United States of America, for the renewal, for a further term of years, of the Commercial Convention now subsisting between the two nations, and for the amicable adjustment of several points of mutual importance to the interests of both countries: and, as soon as the ratifications shall have been exchanged, his Royal Highness will give directions that a copy of this treaty shall be laid before you.

Gentlemen of the House of Commons;

The Prince Regent has directed that the estimates for the current year shall be laid before you.

His Royal Highness feels assured, that you will learn with satisfaction the extent of reduction which the present situation of Europe, and the circumstances of the British empire, have enabled his Royal Highness to effect in the naval and military establishments of the country.

His Royal Highness has also the gratification of announcing to you, a considerable and progressive improvement of the revenue in its most important branches.

My Lords and Gentlemen;

The Prince Regent has directed to be laid before you such papers as are necessary to show the origin and result of the war in the East Indies.

His Royal Highness commands us to inform you, that the operations

tions undertaken by the governor-general in council against the Pindarries, were dictated by the strictest principles of self-defence; and that in the extended hostilities which followed upon those operations, the Mahratta princes were, in every instance, the aggressors. Under the provident and skilful superintendence of the marquis of Hastings the campaign was marked, in every point, by brilliant achievements and successes; and his majesty's forces, and those of the East India Company (native as well as European) rivalled each other in sustaining the reputation of the British arms.

The Prince Regent has the greatest pleasure in being able to inform you, that the trade, commerce, and manufactures of the country are in a most flourishing condition.

The favourable change which has so rapidly taken place in the internal circumstances of the United Kingdom, affords the strongest proof of the solidity of its resources.

To cultivate and improve the advantages of our present situation will be the object of your deliberations; and his Royal Highness has commanded us to assure you of his disposition to concur and co-operate in whatever may be best calculated to secure to his majesty's subjects the full benefits of that state of peace which, by the blessing of Providence, has been so happily re-established throughout Europe.

The Prince Regent's Address to both Houses was replied to in a strain of compliment by two

noble lords, the *Earl of Warwick* and *Lord Saltoun*, of whose speeches it is unnecessary to make any extracts.

The *Marquis of Lansdowne* next rose, and after a general declaration of his unwillingness to oppose an address to the crown, he said that he found himself bound to state a few considerations which presented themselves to his mind, not as objections to the motions now made, but as omitting the notice of other topics. He began with touching upon the state of France, respecting which, he was happy to find that there was a general agreement respecting the liberal manner in which she ought to be treated. Among the omissions he, however, remarked upon that of the slave-trade, on which he observed, that the manner in which it was passed over in the speech gave a too plain indication of the want of success of its efforts. The state of the revenue, in which the speech had shown a gradual improvement, was, he said, chiefly valuable as furnishing an index of the revival of active industry; but whether it had extended to the labouring and agricultural classes was still a matter of doubt. In the meantime he must remind their lordships, that the prospect was by no means such as to relieve them from the necessity of increasing their endeavours to reduce the expenditure of the country to a more economical scale. For this purpose his lordship attempted to show, that all the improvements still left a deficiency of 14 millions to raise the amount of the income to a parity with that of the expenditure. A subject of far greater

greater importance remained untouched, which was, the restriction of the Bank from paying in specie; respecting which, notwithstanding the approaching expiration of that period, he would ask whether any man in the kingdom would rely upon the resumption of cash payments?

Such were the principal topics which were touched upon in the speech of the noble marquis.

The *Earl of Liverpool*, who spoke next, found little more ground for his address than a resumption of the subject already contained in the speech of the Prince Regent. There was, indeed, one topic upon which, as an important minister of the crown, he ventured to give a free opinion. He had no hesitation in saying that, considering the present state of the exchanges, and the progress of the pecuniary operations alluded to in the last session, he thought it impossible that cash payments could with safety be restored on the 5th of July next. If such should be found to be the case, it would be prudent to extend the Bank Restriction act till the succeeding session, when the whole question might be deliberately weighed, and finally decided on.

After a short reply from the *Earl of Lauderdale*, the Address was unanimously agreed to.

In the House of Commons, the correspondent address to the Prince Regent was moved by *Mr. Brownlow*, who was seconded by *Mr. William Peel*.

Mr. Macdonald then rose, and said, that he could by no means concur in the opinion of the

mover of the Address, namely, that courtesy required, that the speech should pass unopposed or unremarked upon, lest it should prejudice any future discussion of the subjects which it comprehended. On the contrary, he thought it was an additional motive for making some observations, not on the particular loss to which his Royal Highness alluded, but on the general view which the Speech took of public affairs. And here he was compelled to say, that the extravagant representations of the state of the country which the speech contained, would justify many more observations than those with which it was his intention to trouble the House. He rejoiced to find that considerable reductions had taken place in our military establishment, and was ready to concede to government as much merit on this subject as they were entitled to; but with respect to civil retrenchment and regulation, it would, in his opinion, have been much more satisfactory, if the Speech, instead of a vague promise of concurrence and co-operation in any parliamentary measures to secure the full enjoyment of the benefits of peace, had pointed out such measures. Was it not notorious that by the suppression of some of the superior offices, not only a great saving would be effected in the expense of collection, but a better collection would be made? Reformation of this nature, however, could scarcely be expected from such ministers as the present.

Then came the congratulatory passage in the Speech—on the increase

increase of the revenue. It was well to hear that the people had been enabled to pay nearly four millions more than they had done last year; but it would be much better to be told that in future they would have to pay less. The omission in the Speech of allusion to a reduction of our taxation was highly inauspicious. With unmingled satisfaction would the people hail any improvement of the public revenue, if the past afforded them any course that that improvement would be the means of diminishing the evils under which they laboured; but, burthened as the country was, what prospect could the Chancellor of the Exchequer hold out of a removal, or even a considerable diminution of that galling taxation which it suffered. The fact was, that a realization of the hopes which had been held out on that subject could be effected only by such a demand for our productions as would absorb a very large additional portion of our population in manufactures—an evil of the most serious kind, morally and politically. When he contemplated the mass of human misery which these circumstances occasioned, he could not help being surprised at those mutual felicitations on the state of the country which a little sober reflection would have checked. If at a time of peace we were unable to diminish the public expenditure, how should we be prepared for a time of war? It might happen that we should be engaged in a war for the defence of every thing that was valuable to us. Were the House to listen to the tone of the royal

speech, and of the speeches of the honourable gentlemen, it seemed that they might be spared the trouble of contemplating any such possibility. They were told they might safely rely on the inviolability of treaties, and on our intimate union with foreign powers; the one substantial security for permanent peace was, a wise, economical, and conciliatory administration of public affairs, and an undeviating system of justice and liberality to the people of other countries, whether powerful or weak. As to any other objects of the alliances in question, the British public regarded them with the utmost indifference. As to the principal result of the congress, it seems to be thought that no course could be resorted to but that of deprecating every species of discussion. There was one subject, however, to which the people of this country had looked with anxious expectation. They expected that at length the detestable traffic in human creatures would be denounced and finally extinguished, by the high and assembled professors of peace and of Christianity. It was, however, well known, that the power which had opposed so desirable a consummation, was France. France, a member of the holy alliance! France, under the restored rule of his most Christian majesty! Thus it had appeared that all the sacrifices which this country had made in favour of the Bourbon dynasty, had been insufficient to obtain from the court of Louis Dix-huit a measure which was little more than one of decency.

It seemed to be thought by the hon. gentlemen who had moved and seconded the Address, that there was nothing so simple and natural as to admire every thing that was done by "the powers that be," and that no fault was to be found with any of their proceedings. For himself, it gave him little satisfaction to find general discontent in the country, and more especially when that discontent occasionally exhibited itself in an intemperate and malignant character. Whence came the extreme irritation among the people, the existing tendency to tumult and violence? How happened it that towards an administration under which, notwithstanding their egregious blunders, the military glory of the nation had been carried to the highest point, so much apathy had been shown by most classes of society, and so much decided disinclination by the remainder? It was because they were found deficient in those qualities, without the possession of which no administration could ever enjoy public confidence. When the opinion of government was called for on questions of the greatest general interest, it was discovered that they had no opinion.

The hon. gentleman then instanced his proposition in Mr. Grenfell's question respecting Bank paper; in the subject of the poor laws; in that of the criminal code, introduced by Sir S. Romilly; in the discussions on the Catholic question, in which government pledged itself to remain neutral, while the Prince Regent was to avoid assisting in any

decision on the topic. In conclusion, he said, that the mover of the Address in reply to the Prince Regent must not be astonished if he found that a considerable portion of the House could not see in his recipe of union and harmony any thing but a general prostration at the shrine of ministers.

Mr. Sinclair, who gave the last speaker the title of his honourable relation, was strenuous for approving the Address, which he considered as highly creditable to the candour and moderation of his majesty's ministers. If, said he, we regard its general scope and tenour, we shall find that it contains such sentiments, and is couched in such language, as no friend to his country can reasonably object to. Every topic has been studiously avoided which could elicit any material difference of opinion, or excite any angry discussion. His honourable relation, however, had not thought proper to follow this example of forbearance; and there is scarcely a single measure, either in retrospect or in contemplation, upon which he has not attacked with severity the past conduct, or the presumed intentions, of his majesty's advisers. *Mr. S.* however declared that it was far from him to expose his own presumption by entering the lists with one whom he so much respected. He also added, that he was far from being decidedly hostile to all the opinions which he had supported with so much eloquence; and he should think meanly of his own fairness and judgment if he did not always listen to his arguments with

with deference as well as with attention. He trusted there were some, of whom he did not hesitate to profess himself of the number, who think that they do not deviate from the path of constitutional consistency, by presuming to judge for themselves, without stooping to complete subjugation to party influence.

Sir Henry Parnell wished to know from some one minister of the crown, why, upon this occasion of calling the attention of Parliament by the Speech from the throne, the situation of the Catholics of Ireland had been, as usual, wholly omitted. It was to no purpose to treat the Catholic question as one of no importance: it had for the last eighteen years been by far the most important one that had come before parliament, and would so continue to be. No one could deny that the Catholics had just cause to complain of the manner in which the engagements made to them at the time of the Union

had been violated, and the various pretexts by which the settlement of their question had been avoided. This was a question which, of all others, ought not to be left to time and chance; for the exclusion of millions of his majesty's subjects from their constitutional rights ought to be justified by some sound and visible principle of public policy, or it became an act of flagrant injustice to continue it.

Mr. Tierney said, that it was not his intention to oppose the motion of an address, or to detain the House with observations of his own, after the very able speech which had been delivered by his honourable friend behind him. His object in now rising was merely to observe, that by consenting to the address, he did not bar himself from all possibility of entering, at a future period, on the subjects alluded to in the Speech.

The Address was then agreed to without opposition.

CHAPTER II.

Discussions respecting the person to whose care the trust of Majesty's person should be committed; carried on by the Lords and Commons.

ON January 25th, the *Earl of Liverpool* having moved the order of the day relative to the speech of the Lords Commissioners, and the death of the Queen, mentioned their purpose to commit the care of his Majesty's person to that individual to whom it was most proper the trust should be consigned; and this person he did not doubt would be found in his royal highness the Duke of York. It was his intention, therefore, to introduce a bill for placing the custody of the King's person in the hands of the Duke of York, subject to the assistance of a council. A bill for this purpose was then read a first time, and ordered to be printed.

On the 26th of January, when the second reading of the bill was ordered, *Lord Holland* took notice of what he termed an *imperium in imperio*, which would be established in the person of the Duke of York, with respect to all the offices on the establishment which it was intended to confer upon him.

The *Earl of Liverpool*, in giving an explanation of the noble lord's query, said, that if the appointment made by the bill appeared proper, the conclusion to be drawn would be, that all the

patronage, be it more or which belonged to the ought to be vested in the individual named in the bill. In fact it was intended that the establishment should undergo reduction, upon which principle the bill would be founded as to the details of that relation, they had no connection with the present bill; which come first before the House, and in the usual course of business would be brought under the consideration of lordships. Some further discussion then took place, in which *lord Holland* said, that he not accede to the principle broadly laid down by the secretary of state, that all patronage of the establishment ought to be vested in the person to whom the care of the person was intrusted.

The bill was then read a second time.

At the third reading of the bill, Jan. 27th, *Lord Holland* said, that he wished it to be distinctly understood, that he not object to vesting the custody of the king's person in the duke of York, whom he undoubtedly thought from his relation, his high character, and the relation in which he stood to

ma

y, to be the fittest person could be chosen for that trust; but he still thought the bill was, by the clause relative to the Windsor establishment inconsistent, and that under it an intelligent piece of legislation, it was absolutely necessary that the clause should be struck out. Their lordships

recollect that it was not at that time the noble earl had expressed an opinion, after introducing that opinion in that House. He gave some examples of a change. On a former occasion, when he (lord Holland) left the Windsor establishment much too large for any necessities of comfort to our afflicted monarch, lords of the chamber started up to say, they who had stuck by the man in his prosperity, would not stick to him in his adversity; and they would not take away *à la* from the splendor which attended their sovereign. What if it was there now, that lords of the bed-chamber might not start up, to declare that they would not take away any splendor which surrounded the monarch? Surely it became necessary to pause before they introduced an establishment, without knowing of what that establishment was to consist.

The *Earl of Liverpool* objected, that their lordships were only proceeding to legislate a part of the subject upon a difference of opinion. They were all agreed upon the propriety of establishing the custody of the king's son in one of the royal family, also, that the duke of York should be the person appointed.

They were further agreed in vesting in him the establishment to be settled upon him in consequence of such appointment. A difference of opinion might arise with respect to the amount of the establishment; but the best way of proceeding would be to appoint the duke of York in the first instance, and to leave the other subject for a future occasion. The noble lord had objected against giving to the duke of York the patronage of the establishment, when they did not know to what it was to be reduced. But the question was, whether they would refuse to the duke being *custos personæ*, the privileges that belonged to the character in which they were agreed that he should be placed.

Lord Holland said, that he did not join issue with the noble earl. In one word, his objection was this; that if they agreed to the clause in its present shape, without any qualification, they would allow a principle of larger extent than the noble lord would himself, upon reflection, be willing to recognize. Having thus stated his opinion, he would not give their lordships the trouble of dividing.

The amendment was then negatived.

The earl of Liverpool having now to propose filling up the blank left by the death of lord Ellenborough, moved the appointment of marquis Camden.

Lord Holland concurred most heartily in the motion, and said he was the fittest person that could be selected.

The bill then went through the committee.

On the 4th of February, a message

10] ANNUAL REGISTER, 1819.

message was sent by the Prince Regent to the House of Commons, apprising them, that the sum of 58,000*l.* per annum, which was appropriated to the maintenance of the establishment, and to the support of the honor and dignity of her late majesty, having become disposable by his Royal Highness for the general purposes of the civil list, the Prince Regent places this sum at the disposal of parliament: he thinks it at the same time incumbent upon him to state, that there exist certain claims upon a part of this saving which he recommends to the justice and liberality of the House of Commons, being founded on the faithful services of the persons who form the separate establishment of her late majesty, and are limited to these services.

The Prince Regent is satisfied that he may confidently rely on the loyal attachment of the House of Commons to enable him, upon the reduction of that establishment, to grant to the several individuals belonging to it such allowances as it has been usual for the crown to bestow on former occasions, when the royal family has been visited with a similar affliction.

Lord Castlereagh then moved an address of thanks to his Royal Highness for his message, assuring him that the House would proceed to take the same into their immediate consideration. The motion was agreed to.

Lord Castlereagh then again rose, and after a due notice of the bill brought down from the House of Lords, the effect of which was, to nominate the duke of York custos of the king's

person, he adverted to the second part of the question, which it would be necessary for him to be fuller in opening.

(Lord Castlereagh). The sums which parliament had now to dispose of were 100,000*l.* which had been appropriated to the Windsor establishment; 58,000*l.* out of the civil list, which had been appropriated to the maintenance of the queen; and 10,000*l.* which had been granted to her majesty, to defray the additional expense to which she had been subject in the discharge of her duty as custos of the king's person. This last sum he would propose should be continued to his royal highness the duke of York as custos. Out of the remaining 158,000*l.*, the House would wish to know what would be the saving. It was proposed that 50,000*l.* should be appropriated to the support of the Windsor establishment. The saving therefore would be 50,000*l.* on this establishment, and 58,000*l.* on that of the queen, but this last sum would be burthened with the salaries to the servants of her late majesty. These salaries were about 25,000*l.* so that the immediate saving on the two establishments, which were to be continued to the servants during their life, was 83,000*l.* After the best consideration which the Prince Regent's ministers had given to the subject, they did not think that they should do their duty, if they left a less sum for the Windsor establishment than 50,000*l.* a year.

It should be mentioned, that Lord C. soon after the commencement of his speech, declared his intention to be, that he

ant eventually to refer the subject to a committee of the whole House; but as there were considerations of detail which could not conveniently be discussed in that manner, he intended on that night to nominate a committee to which the subject might be referred, and then to report it to the House.

His lordship, on the occasion of his speech, moved that the members of the committee should be nominated, which seemed to have been fairly divided among the two parties in the House. The number was 21.

Long Wellesley, after some observations on the state of his majesty's health, he thought, ought to have all the personal splendor which was due to royalty, said that he had one or two questions to put to the noble lord. He asked, that the same salary which had been given to the duke of York, should now be given to the duke of York, for the care of the royal person. He did not know why this should be the case. He remembered the cause of the duke of York, who had been given for a sum of 10,000*l.* given to her majesty, as a remuneration for certain expenses which she might incur; and, without the assignment of a similar cause, the same salary was not to be allowed to the duke of York. He wished to know, and he thought the House should know, why different reasons should be assigned in 1812, and in 1819 for the same act. If the sum was to be given to the royal duke as *custos personæ*, let it be so stated, but it must not be understood as given

for any other purpose. He wished also to know, from the noble lord, whether if this situation were to be given to the duke of York, it was intended to continue him in the high situation which at present he holds as commander-in-chief. He was as ready as any man to admit the services which the duke of York had rendered to the army; but he confessed that he himself did not think that he should be performing the duty he owed as a member of that House, if he did not state, that in the present situation of the country, and at a time when a constitutional jealousy ought to be exercised with respect to the powers which might become vested in the individual who held the chief command in the army, he was jealous of the principle which would confide two such important trusts in one hand.

Lord Castlereagh said, that as the extra sum given to her majesty was intended as a remuneration for her habits of life being altered by becoming *custos personæ*, so the same principle was followed up by bestowing the same sum of 10,000*l.* on the duke of York. With regard to the other observation respecting the royal duke holding two such important trusts, he was not aware of any thing which should prevent his royal highness as commander-in-chief of the army, from accepting the care of his royal father's person; and he was certain that he could not convey more melancholy tidings to the House and the country, than that it should be thought necessary to remove his royal highness from a situation in which he had gained

so much credit, to one of a different kind.

Mr. Tierney was glad that this question was brought before the House in so satisfactory a manner, because its final issue would be the result of the most diligent and minute deliberation. In the observations he had to make, he should begin with noting the noble lord's assumption that the proposed reduction was a voluntary offer of economy on the part of the government. On his part, he viewed it as a necessary consequence of circumstances which had lately occurred. By the death of her majesty a great part of the Windsor establishment was done away with, and the House were called upon to see at what expense the subsequent arrangements could be made; for the money so spared was the property of the public, and it was the province of the House, and of that alone, to decide how it was to be disposed of. In considering it, therefore, he should first look to the measure of economy, and afterwards inquire about the expense.

There was one subject of past transactions which he could not omit to notice, which was the appointment of four lords, and four grooms of the bed-chamber, by the very individuals who now came forwards to say, that they were an useless burthen upon the public. They had continued a burden upon the country for seven years, which they now declare to have been unnecessary from the first. Here then, according to the present avowal of ministers, was a sum of 42,000*l.* lost; and if there was any one

sum of useless expenditure, might be said to be thrown away, it was the sum just now mentioned. With respect to a sum of 10,960*l.* to be given to the duke of York, he should say that any extra expense to his royal highness might be in the care of his majesty, and most undoubtedly, to be defrayed by the public, be the sum great or small. If the same grant were shown to be necessary for the duke of York, he should be disposed to accede to it, but let the necessity be first proved. The noble lord lay before the House not merely the sums which were said to be required, but a list of things like the particulars of their expense, and it would be difficult to come to a common understanding. *Mr. T.* next discussed the sum charged for the Windsor establishment, which he thought much beyond what was necessary. He then took upon the remuneration granted to the physicians, which point the noble lord had not given any explanation. He concluded with saying, that he could have no other object in view, but honestly to discharge the duty owed to his aged and infirm sovereign, not forgetting, at the same time, what was due to the wants of the country.

Mr. Canning expressed his confidence, that the administration of the right hon. gentleman acted upon frankly, and in the spirit in which he professes to make it, would bring him and his noble friend much nearer to their opinions on the subject. The right hon. gentleman at present perhaps supposed. He

took a general view of the differences which might be expected still to oppose their junction, in which he corrected Mr. T. in his notion, that any one could subscribe to the opinion, that the privy purse was other than the property of the king, after the words of the act in 1812 had absolutely decided in favour of his majesty's claim.

Mr. Tierney, in explanation, said that he well knew the provisions of the act of 1812; and in adding that he was ready to repeal it, he expected to have the hon. gentleman for his seconder.

It was then agreed, that the Prince Regent's Message should be referred to a committee of the whole House on the 11th instant; and that the Royal Establishments be referred to a select committee.

On February 5, the Prince Regent's message respecting her late majesty's establishment having been read, the *Earl of Liverpool* rose to move an humble Address to the Prince Regent, in which he took notice of his Royal Highness's munificence in placing the whole sum of 58,000*l.* at the disposal of Parliament, and only asked that justice to be done to the servants of her late majesty, which had been done in all former cases of the demise of a queen. The allowances on this occasion might be estimated at 25,000*l.*; from which there would remain 33,000*l.* immediately at the disposal of the public; and it could not be supposed, that any of their lordships would be disposed to resist a claim which was one of justice and liberality. The earl then moved an humble Address

to the Prince Regent, thanking him for his gracious communication, and assuring his Royal Highness, that their lordships would not fail to pay due attention to the claims recommended by his Royal Highness to their notice.

The *Marquis of Lansdowne* was willing to concur in the general object of the Address, on account of the practical application of the fund in question, which he fully approved. But as to the power implied by the message, of the king or his ministers to take one head of the civil list, and apply it to any other purposes of the civil list, he held it to be an assertion totally inconsistent with the spirit, if not with the letter, of the act for the regulation of the civil list which was passed two or three years ago. The demands for the maintenance of her majesty and her servants formed part of the estimates on which the sums were voted; there appeared, therefore, no reason for saying that a sum, which had been appropriated to one branch of the civil list, should, in the case of the ground on which it was granted ceasing, become applicable to other branches. With respect to the application of the 58,000*l.* as proposed by the message, no person felt more strongly than he did, the propriety of that application.

The *Earl of Liverpool* said, that when, from the votes of the other House, the matter came regularly before their lordships, he should feel it his duty to give such explanations as the occasion might seem to him to require. With regard to the question immediately

diately under consideration, he thought that their lordships could not hesitate in adopting the principle laid down in the message respecting the power of the Prince Regent in the disposal of the 58,000*l*. Having stated the grounds on which the principle of the message was supported by the act of parliament, he had to add, that it never was his intention to take any unfair advantage of the state of the law.

The Address was then agreed to, *nem. diss.*

REPORT from the Committee on the Royal Establishments.—The Committee to whom the Establishment of her late Majesty, and the Estimate of the Expenses of the proposed Establishment of his Majesty's future Household at Windsor, were referred, —have agreed to the following Report:

Your Committee have deemed it to be their duty, in the first place, to take into their consideration the arrangement which has been proposed for the future establishment of his Majesty.

By the Act of the 52 Geo. 3rd, c. 8, the sum of 100,000*l*. was directed to be set apart annually out of the Civil List, for the expense of the king's household; and any surplus, after defraying this charge, was to be applied to the purposes of his majesty's civil establishment.

It appears to your Committee, that the reduction, which is proposed in that expenditure, of one half, may with propriety be made; and that an annual sum of 50,000*l*. will be sufficient to provide for this service; and they refer to the

estimates, under the different heads, annexed to this Report.

In considering the scale and expense of the establishment which it is necessary to form, while they approve of the discontinuance of the salaries of certain of the officers of state, who have hitherto, since his majesty's indisposition, been retained, yet your Committee recommend, that, at the head of the establishment, an officer of the rank of the groom of the stole should be placed, as they deem it important to have a person of rank, and of high station, connected with the king's service, generally residing near his majesty's person. For the same reasons it appears expedient, that one of the king's equerries (the number of whom, in the judgment of the Committee, ought to be limited to four) should be in daily and constant attendance at Windsor.

In the examination of the estimates for defraying the charge of the proposed tables, and for the other branches of expenditure at Windsor, your Committee have received satisfactory explanations respecting them from Colonel Stephenson, to whom the superintendence of the king's household has been in a great degree confided.

It appears to them, that the estimates have been framed, for the services to which they are to be applied, with a due attention to economy; and they refer particularly to "the explanatory statement of the estimate for the expense of his majesty's household," which is annexed. A large portion of the expense which, as your Committee are informed,

l, cannot be estimated at one-third of the whole will be at all events red by the maintenance sor Castle as a royal re- and ought not to be set exclusively belonging to blishment of his majesty. nes and descriptions of ers, whose salaries have continued, will be found ppendix, together with a he menial servants who een reduced, and the of the wages and appoint- which the latter received ng's service.

Committee next pro- to the subject of the es- ent of her late Majesty, ad been referred to their ation.

oyal highness the Prince having been pleased, by ious message, to place at osal of parliament, the 58,000*l.* per annum, in ence of her majesty's de- id at the same time to re- id to the House of Com- he claims founded on the services of those who the separate establish- her majesty, in-order that se might be enabled to hat part of that sum it advisable to apply to the provision for such persons, ommittee have obtained ts of such allowances as ade to the officers and ser- f queen Mary on her de- the year 1694; of queen e in 1737; and to the old of the princess dowager es in 1772; amounting an- for the establishment of Mary, to 15,278*l.* 16*s.* 8*d.*;

to that of queen Caroline, to 19,812*l.*; and for the household of the princess dowager of Wales, to 19,702*l.* 7*s.* 10*d.*

The grants, in the instances referred to, were not brought under the consideration or view of parliament, but were paid out of the Civil List revenues; an annual saving on these revenues having been made by the discontinuance of the respective royal establishments to a greater extent than those allowances amounted to. In the year 1782, by the act passed for the regulation of the Civil List, the amount of pensions to be granted out of the Civil List revenues was limited, and in consequence of that limitation, and the present charge on the Pension List, it is not possible to place such allowances as it may be wished to grant to the queen's servants upon that fund; but the whole sum of 58,000*l.*, which was annually paid to the queen, being now at the disposal of parliament, it remains for parliament to make such provision, in this respect, as it may in its liberality think fit.

In offering for the consideration of the House the annexed scale of pensions, recommended for the servants of her late majesty, while your Committee have had in view the expectations which those persons may reasonably have entertained, as to the provision which would be made for them when their services should cease, they yet feel it to be their duty to submit to the House, that this recommendation should not be drawn into precedent on the formation of future establishments.

It will be observed, that the state,

state officers, as well as some others, to whom their salaries were continued for life, in the instances referred to, do not appear in the list which is proposed. The general principle which has been adopted in framing it, being to suggest a provision for the female part of the queen's household, and for the domestic officers and menials, of whom the greater proportion have been for many years, and during the course of a long reign, attached to her service. The amount of this provision, together with the pensions to be continued to such as were the objects of her majesty's benevolence, is less than was given upon the two last occasions which have been noticed, without taking into account the difference in the value of money at those periods, and at the present.

If parliament shall approve of what has been here submitted, legislative enactments will be required to carry these regulations into effect. It will be necessary to alter that part of the act of the 52nd Geo. 3rd, cap. 8, which appoints the attendants on the king's person, and also to regulate the sum to be in future appropriated for defraying the expense of his majesty's household. That clause also of the act of the 56th Geo. 3rd, cap. 46, which enacts, that whenever the charge upon the Civil List shall exceed, in any one year, 1,100,000*l.*, an account of the exceeding, and the cause thereof, shall be laid before parliament, must be amended, so as to require a similar account to be submitted, whenever that charge shall exceed the amount to which the expenditure of the Civil List

shall be limited by the reduction which are now proposed.

17th February, 1819.

Ordered to lie on the table to be printed.

On February 22nd, the House of Commons having resolved itself into a Committee of the House, for the purpose of bringing into consideration the Report of the Select Committee on the Royal Establishment at Windsor.

Lord Castlereagh rose, and said that he should state very shortly the proceedings which he should adopt as most convenient in all the circumstances of the case. The first resolution which he had in view to propose, related to the Windsor establishment in general. Instead of 100,000*l.*, he proposed that 50,000*l.* should in future be granted. This, in fact, contained the sum and substance of the whole measure; for the labors of the Select Committee had abridged very much of what it would otherwise have been his duty to submit to the committee of the House. With respect to the amount of the sum regarded as necessary by the Select Committee, he thought that their opinion that 50,000*l.* was a suitable proper allowance for the sum of his majesty, could not be in question; and he found no difference of opinion among his colleagues who sat with him on the same commission.

The second resolution related to the making of suitable provision for the servants of her majesty. The Select Committee thought it was just and right that a remuneration ought to be made to the inferior servants of her majesty, especially to the female attendants.

attendants; but with respect to her state officers, the same precedents seemed to them not obligatory. Having, therefore, examined into the claims of her majesty's servants, they made a deduction of those salaries which were paid to persons of a more elevated rank in life, amounting to between 6 and 7,000*l.* a year, thus reducing the sum to between 18 and 19,000*l.* a year. His majesty's government, therefore, did not feel themselves authorized to propose a larger sum than the above, to the servants of her majesty.

On the third resolution, respecting his majesty's private purse, the noble lord most strenuously contended, that it was a private fund, which ought not to be touched at all. It was a fund with which parliament could not interfere, unless they were disposed to over-leap all the boundaries of law and equity. After dwelling for a considerable time upon this idea, he was proceeding to move the resolution in question, when, after a short pause, he rose again, saying, that he should have omitted a principal part of his duty, had he not called the attention of the House to the situation of the royal duke. On this subject he was authorized to declare, from his royal highness, that no consideration could induce him to accept of any sum out of the privy purse of his majesty. He (the duke) should, in any event, be happy to discharge the duties which his situation rendered necessary towards his royal father and his country; but as to taking any part of the private property of his father, he desired it to be stated, that it was a measure

to which, directly or indirectly, he never would consent.

The noble lord concluded by moving, "That in lieu of the sum of 100,000*l.*, directed to be issued and paid by an act made in the 52nd year in the reign of his present majesty, the annual sum of 50,000*l.* shall be issued and paid out of the Civil List revenues, and which shall be paid in like manner, and be applied to the same uses and purposes as are directed by the said act, with respect to the said sum of 100,000*l.*"

Mr. Tierney said, that he should follow the noble lord's example, in dividing into three heads the observations he had to offer; the first, as to what should be the reduced amount of the future Windsor establishment; the second, as to the allowances made to the servants of her late majesty; and the third, which was the greatest and most constitutional part of the question, from what, if from any fund, the sum to be paid to his royal highness the duke of York, as guardian of the king's person, should be taken. With respect to the Windsor establishment, he acknowledged that a second consideration concerning the expense belonging to Windsor Castle, had so far converted him, that he was ready to give up his opinion; and as to the allowances proposed for her late majesty's servants, he lamented that the subject had been referred to the committee, but thought that it had endeavoured to strike out the proper line. With respect to the great question, namely, out of what fund the guardian of the king's person was to be remunerated? he was told, in the eloquent declamation

clamation with which the noble lord concluded, that if he (Mr. T.) succeeded in inducing the committee to agree to his proposition, he would heap infamy on a new House of Commons. But, with deference to the opinion of the minister, he thought that any sum which parliament chose to offer, out of any fund, for the performance of a public duty, the proudest royal duke might be proud to receive. The argument of the noble lord was, that the privy purse was private property. The construction of the different acts of parliament would prove, that this argument was erroneous. At the commencement of his majesty's reign, it was enacted, that a certain sum should be settled upon his majesty for the maintenance of the royal household, and the due support of the royal dignity. This was not to be at the absolute disposal and control of his majesty, but was to be applied to certain purposes; and if it was more than sufficient to answer those purposes, the surplus became the property of the public: It was then to the support of the royal household and the maintenance of the royal dignity, that the sum was granted, and not any mention was made of the privy purse. The sum granted by the act was 800,000*l.* per annum, and the king was to take charge of all expenses which might come under the head of civil list, under the responsibility of his ministers, who were subject to the same responsibility to parliament. It was not till the 39th of the king that savings having grown up out of the privy purse and the duchy

of Lancaster, his majesty was empowered to dispose of them by will. The act was purposely intended to enable his majesty to dispose of sums which had been issued out of the privy purse, and were vested in real or personal property; but the privy purse was not there mentioned as a particular limited sum. Whatever the king had saved up to the period of his illness was, indeed, private property under that act, and might be disposed of at his pleasure.

He should now consider the manner in which the privy purse was regarded in the 51st and 52nd of the king; and to this part of the subject he begged the particular attention of the committee. At the time of passing the first of those acts, there seemed a reasonable prospect of his majesty's speedy recovery, and the object was, that at the time of his majesty's convalescence, he should find every thing about him in the same situation as before his illness. Now, if the privy purse had been, as it was contended to be, the private property of the king, as sacred and inviolable as the estate of a private gentleman, why was any separate arrangement made concerning it, different from that concerning private property in general? Why was it thought necessary to have an act of parliament on the subject. This act, however, recognized the principle of disposing of this fund. Then came the more melancholy year, in which all prospect of his majesty's recovery was contemplated as a mere possibility. It then was necessary to provide for his majesty's

majesty's affairs by a permanent settlement. To that period he wished to call the attention of the committee; and he would show that what he now proposed was not the infamous measure which the noble lord represented it, but was one which had been already recognized by the three branches of the legislature. By the act then passed, three commissioners were appointed, in whom was vested the entire property given by the act of the 39th and 40th, without reserving to parliament any right to interfere with it. But then the privy purse remained to be regulated for the future, and was not treated like the property vested in the commissioners. The committee would see how differently the privy purse was regarded both in the 51st and 52nd of the king, from the property, the result of former accumulations, which was held thus sacred. The act recited, that whereas it was expedient to defray the charge of medical aid and advice, and whereas it was "reasonable that those expenses should be paid out of the privy purse." Now, he would ask how any gentleman could say that it was reasonable to burthen the privy purse for one purpose connected with the care of his majesty's person, and infamous to burthen it for another.

After the expense of the physicians had been defrayed, it was directed that the surplus, *if any*, should be vested in the commissioners for the care of the king's private property. If any, was the expression, so that parliament then thought that it had taken the whole fund. But so closely

did parliament follow this privy purse, of which it conceived that it had the whole dominion, that it directed that if the expenses of one year should absorb more than the fund of that year supplied, those commissioners should repay the surplus of former years which had been entrusted to them. The other acts which he referred to only required common sense to interpret them, and showed plainly that parliament had conceived this privy purse to be subject to its entire control. The noble lord had asked whether, in giving the allowance to the duke of York, they would treat him as a nurse attending a sick bed. For his part, he would do no such thing. He would give to his royal highness every penny of the expense to which, as *custos personæ*, he would be put; but he would give it from that fund from which alone it should be taken. The only argument he had now to make out was the propriety of taking the sum mentioned from the privy purse. He wished to know from the noble lord whether he was right in understanding him thus, or not. A voice from the ministerial side of the House replying, No, That being the case (said Mr. T.), I shall feel it my duty to propose an amendment to the noble lord's first proposition, namely, that after the words 50,000*l.* it should be inserted as follows:—"That any surplus arising out of the revenues of the Duchy of Lancaster, and the sum of 60,000*l.* a year granted to the throne as a privy purse, according to the act of the 52nd of the king, should (after payment of the sums already

charged thereon) be applied to defray the expense attending the care of his majesty's royal person."

Mr. Peel, after various compliments to the last right hon. gentleman, said, that he still retained the opinions with which he came down to the House, namely, that the privy purse could not with propriety be applied to defray the expenses of the *custos* of the king's person. The right hon. gentleman had truly said, that for the purposes of his argument it was necessary to define what was called the privy purse, but in his statements it would be shown that there were several misrepresentations of facts. These were dwelt upon with considerable force by *Mr. Peel*, who affirmed that a head of expense, under the title of privy purses was distinctly recognised in *Mr. Burke's* bill passed in the year 1782, as well as in that passed in 1811.

A considerable number of persons rose on different sides of the question after this introduction; but at length the House exhibited considerable marks of weariness; and upon the division of the committee, there appeared for *Mr. Tierney's* amendment 186; against it 281: Majority 95.

On February 25th, Lord Castlereagh moved the order of the day for receiving the report on the Royal Establishments at Windsor. The report was brought up, read, and the first and second resolutions were agreed to. On the third resolution being read, viz. "That the annual sum of 10,000*l.* be issued out of the civil list revenues to his royal

highness the duke of York, to enable his royal highness to meet the expenses to which his royal highness may be exposed in discharge of the important duties confided to him by parliament, in the care of his majesty's person."

Mr. Curwen said, that he could not but consider it as a matter of deep regret that his royal highness had made it a subject of more difficulty and delicacy to take any allowance from the privy purse, than from the people at large.

Mr. Robinson said, that after the decision that this allowance ought not to be paid out of the privy purse, he did not see upon what principle it could now be maintained that his royal highness ought not to receive any allowance whatever. Every sound principle of policy and justice, therefore, ought to induce them not to agree with the hon. gentleman.

After several other members had spoken, *Mr. Tierney* rose, and began by assuring the House, that in the few observations he had to make, he was anxious to set himself right with those hon. members who had appeared to think that in his speech, on a former night, he had allowed the propriety of the grant, and had merely disputed about the fund from which it ought to be taken. He had made no such admission; having then no other object than to record a principle, that the privy purse should be charged with what he could not but consider as a private expense appertaining to the king. That principle having been negatived by the House, there still remained a question, whether any farther expenses

es than those were neces-
 consequence of the office
 on. A bill was already in
 on, appointing the duke of
 ustos. He had already en-
 pon his office, and yet the
 ich settled the appointment
 t said a syllable about any
 nor had the duke himself
 d for any. Not merely the
 who sent down the bill,
 en the Commons, had not,
 stage of the business, given
 of the necessity of any re-
 ation. The House had a
 o be strictly informed as to
 sons of such an informal
 nomalous proceeding. It
 t from the feelings of the
 luke that this application
 ted; for in the communi-
 which he had made to the
 through the noble lord, he
 pressed his willingness to
 e duties of his office with-
 y compensation, though, if
 ould be voted, he would
 cept it if it were to be
 d on the privy purse. The
 , then, had no information
 e them, either with respect
 motive or the amount of
 ant now called for, and in
 sence of such data, they
 ook to the nature of the
 itself. To come, then, to
 stimate of the expenses
 his royal highness might
 ly incur in consequence of
 ew office. The only sort
 ntion which the royal duke
 pay to his afflicted father
 be that of visiting him
 or twice a week at the most.
 l any man rise up and say
 n thousand pounds was not
 rge a sum for the hire of
 orses from Oatlands or

London to Windsor. Was it not
 obvious that a tenth part of the
 sum would be enough to cover
 such an expense. What was the
 real state of the case? Was the
 duke of York in want of 10,000*l.*
 a year? If so, let ministers speak
 out, and not come to the House
 in this sneaking paltry manner,
 to shuffle them out of their money
 under false pretences.

The right hon. gentleman went
 on in this joco-serious strain for
 some time. At length he said,
 He had deprecated and lamented
 this discussion as much as any
 man, and he thought that min-
 isters would have reason to la-
 ment the result; though he had
 little doubt that, by the united
 efforts of themselves and their
 new coadjutors they would gain
 their object that night. They
 would, however, soon see that
 the minority, though branded
 with the title of infamous, would
 carry great weight throughout
 the country.

Mr. Canning then rose, and
 after attacking the last speaker
 with considerable severity, he
 summed up his argument in the
 following brief statement. Ori-
 ginally, he said, the privy purse
 was a part of the civil list, and at
 the commencement of the present
 reign no character of sanctity
 was attached to it. But in the
 exact proportion in which parlia-
 ment interfered with the other
 parts of the civil list, they had
 recognized the privy purse as the
 property of the sovereign. It
 had been first so recognized in
 the proceedings of 1780, of which
 Mr. Burke was the mover. Se-
 condly, in the bill founded upon
 that proceeding, which was
 brought

brought into the House in 1782, but not carried into a law. Thirdly, in the act which passed in 1786, embodying and enacting all the system framed by Mr. Burke. In all these cases the whole of the civil list was brought under the control of parliament, except the privy purse, which was specially exempted from it; and in the last case, which gave to these arrangements the form of law, the amount of the privy purse was specifically stated, as at present, at 60,000*l*. Fourthly, the Regency bill of 1788, secured the privy purse, its profits and savings, to the king. Fifthly, by an act passed in 1799, the power in the king of bequeathing those savings as private property was distinctly recognized. Sixthly, by the act of 1811, which set apart the privy purse as the indubitable property of the crown, as it had been set apart by the Regency bill of 1788. And lastly, the act of 1812 completely set the question at rest.

After some further speaking, the question being put, That 10,000*l*. stand part of the resolution, the House divided: Ayes 247; Noes 137: Majority 110. The resolution was then agreed to.

On March 19, on the motion of *Lord Castlereagh*, the order for the further consideration of the report on the Royal Household Bill was read. The amendments were agreed to; and on the motion that the bill be engrossed,

Lord Folkestone rose, not to animadvert upon any of the amendments which had been just adopted, but to state his opinion

upon the clause in the bill relative to the grant of 10,000*l*. a year to the duke of York. He said, it was impossible consistently to agree to this clause in the terms in which it stood at present, for it assumed that the same sum was allowed to her late majesty as a remuneration for the expenses to which she was liable on her appointment to the care of the king's person, as was conferred on the duke of York upon undertaking the same appointment. Now it was clear that the annuity was not granted to the queen for the care of the king's person, but on a different account; consequently to state that the same sum should be granted to the duke of York for that purpose, was a direct falsehood. It could not be pretended that the duke of York from his appointment of *custos regis*, would have to incur more expense than that of paying for four horses for travelling once a week to Windsor; and would it be maintained that 10,000*l*. a year was necessary for such a purpose? At all events, he felt that the House should not adopt a clause which contained a palpable falsehood; and upon that ground he should move that the clause be expunged.

The Speaker stated, that the question to be put was, "That the said clause stand part of the bill."

The *Hon. Mr. Lyttelton* observed, that the reception which the remarks of his noble friend had met with, and the little attention which ministers seemed disposed to show them, held out but a slender encouragement to him to address the House on this occasion.

occasion. But still he felt it his duty to say, that if the grant alluded to was made, it would be quite scandalous to vote that grant upon false pretences. The hon. gentleman made a variety of other remarks, some of which were in a strain of considerable severity.

The question being put, "That the said Clause stand part of the bill," the House divided; Ayes, 156; Noes 97: Majority 59.

In the House of Lords, the *Earl of Liverpool*, on March 26th, moved the second reading of the Royal Household Bill. He said, he understood that no opposition was intended to be made to the principle of the bill. After having just touched upon the main circumstances of the bill, he alluded to the grant of 10,000*l.* per annum to the duke of York, which was the same amount as had been granted to the late queen. He owed it to the duke to state that he had not sought for any such allowance; but parliament having thought it right to give the queen 10,000*l.* per annum as *custos personæ*, there could be no question that the duke of York was fully entitled to the same allowance.

Earl Grey said, with regard to the allowance of 10,000*l.* to the duke of York, it was a subject to which he adverted with very considerable pain. He highly respected the duke for his public services and private virtues; but no consideration should induce him to shrink from the discharge of a public duty; and that duty compelled him to oppose the allowance. Nothing had been urged by the noble earl that

could in any way justify such a grant, and he could not but view it as obtaining a grant of 10,000*l.* a year under a false pretence. He must regret that such a measure had been at all brought forward; and he could assure the noble earl that in the country the impression was the most unfavourable that any proposition could give rise to.

The bill was then read a second time.

March 30th. The *Earl of Liverpool* moved the order for committing the bill for the regulation of his majesty's household. The House immediately went into the committee.

On the motion for reading the preamble of the bill, *Earl Grey* rose and said, that having already declared that it was not his intention to make any opposition to the principle of the measure, it might be expected that he would reserve himself for another part of the bill; but notwithstanding his approval of the principle, he had some general observations to offer, which appeared to him particularly applicable to the present stage of the committee. In considering the preamble of the bill now before their lordships, he found that, in addition to the provision requisite to the due care of his majesty's person, there was also an intention declared of making such reductions, in the expense of the establishment, as might not be found inconsistent with the principle on which the bill was founded. This, which was the principle of the bill, he also maintained, and should continue to maintain, notwithstanding the indignant

indignant observations he had a few days ago drawn upon himself. This much he found himself bound to say in order to avoid further misconstruction; but before he proceeded to notice the details of the bill, he could not help adverting to the grounds upon which the noble earl who moved the bill had called upon their lordships to support it. The noble earl had stated, that the death of her late most excellent majesty would allow some reduction in the expense of the establishment provided for his majesty; for had it not been for the arrangement which subsisted until her majesty's death, she would have had an equitable claim to the enjoyment of her dower. When the noble earl made that statement, he heard it with great surprise, for it was the assumption of a perfectly new ground. Did the journals of parliament, or any of the acts which had been adopted, afford any trace of such a principle? On the contrary, the act of the 52d of the king stated in the preamble, as the ground for passing it, the necessity of making further regulations for the maintenance of his majesty's household, and to enable the queen to meet the additional expenses to which she might be exposed for that object. The sum of 100,000*l.* was then directed to be paid for the maintenance of his majesty's household; and the details in confirmation of the preamble proved that it was the intention of the legislature to apply the whole of that sum to expenses connected with his majesty's person. To remove all possible

doubt, a clause was inserted for rendering an account of the application of the money to the commissioners of the revenue; and it was provided, that if there should be any surplus, it was to go to the aid of the civil list. The clause which gave to her majesty 10,000*l.* for her own use, was a further proof that the other sum was exclusively designed for supporting his majesty's establishment. He could come to no conclusion on the subject, but that the ministers of the crown, after strenuously opposing for a considerable time any reduction in the establishment for the king, and having at length found that they must reduce it, had, in order to avoid the appearance of inconsistency, invented this argument, that they might put forward the death of her majesty as a reason for the reduction, although no reason had all along existed why this establishment should not have been reduced.

He now came to that part of the subject on which it was the most painful for himself to touch, but which it would be inconsistent with his duty to overlook—the grant of 10,000*l.* to the duke of York. He could not but think that ministers had acted most unwisely and injudiciously in thus dragging forward the duke of York to incur a considerable degree of unpopularity in consequence of their making such a proposition at a period of great public distress like the present. The noble earl then went through the reasons by which this appropriation had been attempted to be justified; and he argued against the necessity of such a grant at
this

this period. In making these objections, he said, he had performed a painful, though a necessary duty; but when a measure was brought forward which interfered with his duty to the public, he must oppose it, though connected with his royal highness's name. He would now merely add, that when they came to that clause of the bill which referred to the grant of 10,000*l.* to the duke of York as *custos*, he should move an amendment.

The *Earl of Liverpool* said that he would endeavour to follow the noble earl into all his statements and arguments, and would answer them in the same order. The noble earl had begun with stating his concurrence in the reductions of his majesty's household, but had at the same time brought a charge against the king's ministers for their tardiness in opposing those reductions when urged by himself and his friends. Now, nothing could be more unfounded than this latter accusation. From the year 1812, when the establishment was fixed by act of parliament, to the last session, the subject was never brought forward. A bill was then introduced by a right hon. friend of his in the other House, which was rendered necessary by the state of her late majesty's health, and then, for the first time, during eight years of the continuance of the act of 1812, was any objection made to its provisions. In the last session of parliament, it is true, objections to the Windsor establishment had been pressed, but he felt, that reduction in the state of her late ma-

jesty's health would have been most unbecoming and indelicate. He had a right, therefore, to say, that last session was not the proper time for the reductions now proposed.

He had now to follow the noble earl into another part of his speech, in which he accused him of changing his ground in the defence of the establishment at Windsor. The noble earl had said, that on the second reading of the present bill, he had stated a different reason for the expenses incurred under the Regency act, and in justification of the continuance of the Windsor establishment, from what had been stated in the act itself, or had ever been employed in its defence—namely, that the establishment was for the support of the queen's dignity, as well as that of his majesty; and that if provision had not been made for her in that way, as queen consort, she must have put the nation to nearly as much expense by providing the dower to which she would have become entitled on the demise of his majesty. I, said the earl of Liverpool, am prepared to support this position; nor do I think that I am involved in any inconsistency. His lordship then, in a train of argument which we shall excuse ourselves from particularly discussing, went through the whole ground of his defence.

The conclusion of the noble earl's (Grey) observations adverted to that clause of the bill which provided the grant of 10,000*l.* to the *custos*. The earl of Liverpool, in encountering his antagonist, strongly contended

tended that the privy purse was as much the king's private property, as any of their lordships' estates were theirs, and ought no more to be violated than the property of his meanest subject. He further said, that to meet contingencies, parliament had declared that the *custos* ought to have 10,000*l.* a year; and the question therefore was, whether in the teeth of an unanimous resolution, they would resume the

grant which they had previously voted.

After several lords had spoken on the occasion, and *Earl G.* had made his concluding speech in which he declared him unconvinced by the arguments brought against him, the clause for granting to the duke of York 10,000*l.* a year was agreed to without a division; and the bill went through the committee without any amendment.

CHAPTER III.

Tierney's Motion for a Committee on the State of the Circulating Medium, and on the Continuance of the Bank Restriction. Lord Althorpe's Motion for a Select Committee.

On the 2nd of February, Mr. Tierney rose, in pursuance of notice he had given, to propose to the House a resolution for the appointment of a committee to inquire into the effects produced on the exchanges with foreign countries, and the state of the circulating medium by the restriction on payments in cash to the Bank, and to report whether any and what reasons exist for continuing the same beyond the period now fixed by law for termination. It would be related that, from time to time, bankers had promised that cash payments should be resumed; from time to time the hopes of the country had been disappointed by renewed restrictions, which had now continued for more than one and twenty years. The preamble of the last bill provided that various unforeseen circumstances rendered the continuance of the restriction necessary, and the nation had been a few days informed that various other unforeseen circumstances made it expedient that the issue of specie should be postponed until the 20th of March 1820. Having already been of the importance of the question, he would not trouble the House with another word

upon that point. It had pressed itself forward by its own weight, and was now looked to with anxiety by all classes of society.

The first part of his motion had been rather dictated by a sense of fairness than by any other consideration. For his own part, he was ready frankly to avow, that the principles laid down by the bullion committee, of which his late excellent friend, Mr. Horner, had been chairman, constituted his creed, and that he had as yet heard or seen nothing to lead him to forsake it. The question, indeed, had now become one of a totally different nature: it was no longer one of exchanges on the transmission of gold from one country to another, or on the dangers to which the Bank might be exposed: the only real point of decision was, whether the old circulation ought or ought not to be restored to those limits to which legitimate circulation was formerly confined in this kingdom. The doctrine on this subject he had heard without surprise, because it was a doctrine which had been foretold not only by himself, but by much wiser men: the House had been warned, over and over again, not to proceed in such a destructive system: it had been told

told, that if the restriction were prolonged, it would be impossible, without great hazard, to return to the point whence it had started: and it now turned out, by the confession of all, that the habits of the patient had been so vitiated, that he had not strength to bear the only remedy for his disorder. There existed in this kingdom a strong money party, whose only object was, to avail themselves of their wealth to continue the present system, and whose ultimate view was, to control the deliberations of the legislature, and the acts of the Bank itself. This party was composed of persons of different descriptions. Some of them were men of the largest fortune, and of the most undoubted integrity, who lent themselves to this object most conscientiously, thinking they were doing what was right. The others were men of a different description, and who might be considered as the tail of the party. It was against this tail that his present motion was directed; and he was this night declaring war with the whole body of gamblers, speculators in the funds, stock-jobbers, and all those who were living upon the losses of the honest and industrious. In what he was doing he could have no possible view but the public good. He had taken upon himself a duty not less laborious than painful, but it was a duty which he was bound to perform for his country.

Alluding to the money speculators, Mr. Tierney said, that their hour of extinction would arrive at the moment the circulating medium was brought back

to its legitimate state; but fortunately, that hour had long postponed, that those a few years ago, were contemptible, had grown as they acquired wealth confident as they procured. This introduced him to the son against whom their opposition had been carried on with much success—the Chancellor the Exchequer. The right gentleman (he said) had acted voluntarily, but upon compulsion: he had merely the instrument with which others worked their ends, while the good understanding had cowed and subdued into obedience by their machinery. His whole course of financial system it was not—had solely upon paper. When the country to think of a minister, who, year after year had done nothing but resort to contrivances to glide over session to session without quiry. His object had been constantly to hold out the expectation that things would be that if the House would but a little, it would find the income and expenditure of the country would balance each other: in the mean time nation was to take his word for the promised improvement while the sinking fund was off one portion of debt. In the end, he was adding to it in proportion at the other chequer bills. This course now been pursued for years, in a way very pleasing to the chancellor of the exchequer but very fatal to the country; then, it was of importance

that hon. gentleman and his should be brought to their ; if it was ever fit to look atation in the face ; could a time be chosen than a of profound peace? If, our years of peace, we were indly to proceed with this system without inquiry, let gentleman lay his hand upon heart, and consider how ul would be the conse- es to the nation, if a war, en an armament, were to ene? What resource had t paper; what means of rting ourselves, but by one of paper piled upon ano- Surely these were matters deserving the most delibe- consideration of the House. t not high time to take some that should put an end to a which secretly destroyed undations of national pros- ? The most obvious and al course for overcoming difficulties was the appoint- of a committee; and he l be glad to know if any of reference could be more ct, or more likely to accom- the object of gaining every es of information, than that as at present urging. He ot wish to inquire merely the state of the Bank, but he effects produced by the tion of the various laws d during the last one-and- y years, for continuing the ction upon cash-payments. a stocks were at 84, it was ed, that the right hon. gen- n and the earl of Liverpool impressed with the notion, he good of the country did re a return to a metallic

currency: even the directors of the Bank seemed to concur in that opinion. In order to enable the Bank to do so, the right hon. gentleman gave notice, that he would pay off a certain amount of exchequer bills. The Bank reduced its issues, and stocks began to fall in proportion. No sooner had this been done, than one of those mysterious deputations waited upon the ministers, and were told that the city was absolutely starving for want of money, and that ruin must ensue. Ministers still seemed desirous of carrying their point; but being from day to day besieged with dismal deputations, a promise was extorted from their fears, that the Bank restriction should be continued for another year.

Mr. Tierney proceeded some time longer in a similar strain. At length he said, that the next question to which he thought it necessary to advert was, what sort of committee would be most eligible for the purpose he had in view. Ought it to be a select, or a secret committee? Now he would fairly state, that he should feel very little anxiety upon this point, were it not for the circumstance of the latter being chosen by ballot. His own motion had for its object to institute a general inquiry; but if the right hon. gentleman wished also that the affairs of the Bank should be investigated, he had no objection whatever to the appointment of a secret committee for that purpose. If, on the other hand, his determination was, that because there was a small inquiry which required secrecy, a great inquiry ought to be conducted

ducted in the same manner, and ought to be chosen by ballot, he should certainly persist in his intention of taking the sense of the House upon such a proposition. He further said, that if the hon. members whom he now saw in the House for the first time, were willing to discard the words of his motion for the vague ones proposed by the chancellor, they would give the most conclusive proof of their entire devotedness to the minister.

He concluded by moving the same words in which his first notice had been given.

The *Chancellor of the Exchequer* regretted, that the right hon. gentleman had so soon laid aside all the ideas of conciliation and unanimity which a few days since he had professed, to adopt the language of mere vulgar party feeling. He then made a comparison between his own notice, and that of his antagonist, in which he found his own much more correct in its form, and distinct in its object, than that of the other. He then challenged the right hon. mover to the proof that the financial system of the country had been unstable and injudicious; and he showed that in no period equal in duration to that which had elapsed since the conclusion of the war, so much had been done, either in diminishing taxation, or in reducing the public debt. With respect to the proposed committee, he much wished, that gentlemen would go into it with unbiassed feelings, and with minds unfettered by any previously declared opinions. The real question before the House was "Is inquiry

necessary?" It was now on sides agreed, that it was. had not been the impression of his majesty's ministers on the first day of the session, when he thought that it would be prudent, without the institution of any inquiry, to propose a bill for a short extension of the restriction of cash-payments. As to the causes to which the hon. gentleman attributed the want of money in England, the amount and nature of foreign loans, especially the subscription of the French loan, which being over-rated in France, and proving insufficient here, had brought to the test, recourse had to other countries, and especially to this, which had produced a rate of exchange against us. In this case, his colleagues and himself had thought it wise, or safe, to leave the Bank to resume its payments in cash, but had proposed to continue the restriction until the 1st of March 1820. This was the 21st of last month; and the following day, lord Liverpool and himself had received communication from the Bank directors stating an opinion different from that which he and his friend had previously undertaken to entertain; namely, that they wished for an inquiry in preference to so short an extension of the restriction. In consequence of this application, and his colleagues, without abandoning their own opinion, felt that an inquiry so demanded could not with propriety be refused. The necessity of an inquiry being therefore acknowledged on all sides, the

on that remained was as to manner in which it should be acted. After some pretty reflections on Mr. Tierney, submitted to the House an amendment which he thought comprehensive, for it would direct the committee to consider every part of the question in all bearings. In this inquiry should be examined, not only the state of foreign exchanges, and the state of the circulating medium, but the condition of the country with every collateral topic connected with any relation to the subject. It was clear, however, that the committee appointed for such a wide and delicate purposes, should be secret; and, notwithstanding the opinion of the right hon. gentleman, it should be applied by ballot, in conformity with an ancient and uniform custom which he had never known any sound reason for departing from. He thought it proper to serve, that to whatever extent it might be advisable to resume the resumption of cash payments, it was desirable that it should take place while parliament was sitting, in that if inconveniencies result from such resumption, legislative remedy might be immediately applied to them. The right hon. gentleman then proposed as an amendment, to delete from the word "applied," to the end of the motion, in order to add these words, "consider of the state of the country of England, with reference to the expediency of the resumption of cash payments at the rate fixed by law, and into such matters as are connected

therewith, and to report to the House such information relative thereto as may be disclosed without injury to the public interests, with their observations," instead thereof.

Lord Castlereagh said, that though the grounds of difference as to the object of the motion between the right hon. gentleman and his right hon. friend, the Chancellor of the Exchequer, were few, yet he should support the proposition of the latter, because his motion was more precise, and went more directly to the purpose. After a speech of considerable length, his lordship declared, that he was not obstinately attached to his own opinion; far from it: he would change it, and would avow that change, not with shame, but with an honest and manly pride, if reasons were produced, which would render such a change necessary.

Mr. Canning subsequently rose; and although he thought that all the general argument on the great question connected with the present motion might be advantageously postponed till the report of the committee, about to be appointed, should give a more favourable opportunity of treating it, he should not deal fairly, either by himself, or by the House, if he did not shortly state the grounds on which he should give his vote on the present motion. It would be superfluous for us to inquire on which side of this motion his attachment lay, for all his severity and ridicule were heaped without mercy upon Mr. Tierney.

Mr. Manning said, that the Bank

Bank had not interfered in their call for inquiry from any motives of private interest. The question of the restriction was a great national question, and not so much connected with the interests of the Bank, as of the public. For any peculiar interest the Bank had in the decision on this subject, the House might fix upon any time they chose for the cessation of the restriction, without meeting with opposition from that body. They had manifested an inclination to fulfil the act which had been passed for a return to cash payments, and had actually paid a part of their notes in cash. The Bank was not only then of opinion, that the restriction might be completely and safely removed at the period appointed by act of parliament, but they entertained the idea to a very late period.

Mr. Tierney hoped that the House would indulge him with its attention for a short time, while he should reply to some remarks advanced by the gentlemen on the opposite side. He had been accused of saying every thing against the Bank of England; an assertion illiberal and erroneous in the extreme. In fact, he had never advanced a syllable against the Bank. He felt seriously for the Bank, with respect to the apparent necessity of continuing the restriction from cash payment. He therefore sympathized with it; but while he confessed this, he found himself called upon to discharge his duty to the public. One right hon. gentleman had exercised his talents for jocularly and wit at his expense. This was no new

invention of those who endeavour to make us laugh at national calamities. It was, however, useless and nugatory to pursue this subject further in strain of good humour or moment. If his majesty's minister chose to screen themselves from the bitterness of reproach, jesting with the feelings of people, to such men only be shame attached to such conduct. To come at once to the question. It was the intention of ministers—at least they would have the country believe so—to take the restriction in March 1818, but suddenly a new light broke in, and now the course was to be changed. Their plan seemed to him to be this. We will continue the restriction up to 1820, then we shall have a committee to inquire. After that, we shall be able to start on a new scene. The Bank, to show the sincerity of its wish to fulfil its engagements, had paid a part of its notes in specie, and then complained that this specie had not appeared. He had no objection that they would reduce the issues; but he did not find fault with the Bank on this account. They had been so beset by claims from all quarters, they could not think themselves safe in their house in Threadneedle-street, if they refused discounts. Their inclination had no doubt, was good; but had they a government to support them, and a government would stand by them, and support them in their resolution, he was sure the object might be accomplished. He suspected all the way through, that the purpose of the committee was

hon. gentleman proposed not to bring out the answer he wanted. What he said, to oblige them to give a distinct answer, of which

he could judge for himself. The right hon. gentleman then said that the question was constituted a reason for the restriction; but he (the hon. member) could not conceive that such a restriction could be made. The committee might have said nothing; which he should have said nothing at all. As he had been said as to the

of the committee; but saying all that had been said for a ballot, he, for not being satisfied with the report of the committee by the Chancellor of the exchequer, as he was by Jew speculators, and other adventurers. He saw no objection to the resumption of cash payments by provided they would be issued gradually and between this and next year had an administration possessed sufficient to face the difficulties of the country, and to probe this to the bottom, it might be that the restriction of the House ought not to be; but the present administration could come to no conclusion on the question.

After a long discussion which took place, he would refrain from troubling the House any further. The resolution he had moved to the House was the subject of serious and deliberate consideration, feeling, as he did, &c.
 XI.

that the question was, in every respect, one of the most important that could occupy the attention of the legislature. Acting with that view, he would now submit it to their consideration, and take the sense of the House upon it.

The question being put, That the words proposed to be left out, stand part of the question, the House divided: Ayes, 168; Noes, 277: Majority against the motion, 109.

The motion of the Chancellor of the Exchequer for a secret committee to be chosen by ballot was then agreed to.

On February 3rd the Chancellor of the Exchequer moved the order of the day for the House to proceed to ballot for a committee of secrecy to inquire into the state of the Bank of England, with reference to the expediency of the resumption of cash payments. In the course of the evening, Mr. Brogden reported the names of the secret committee to stand as follows: Lord Castlereagh, Mr. Chancellor of the Exchequer, Mr. Tierney, Mr. Canning, Mr. Wellesley Pole, Mr. Lamb, Mr. F. Robinson, Mr. Grenfell, Mr. Huskisson, Mr. James Abercromby, Mr. Banks, Sir James Mackintosh, Mr. Peel, Sir John Nicholl, Mr. Littleton, Mr. Wilson, Mr. Stuart Wortley, Mr. Manning, Mr. Frankland Lewis, Mr. Ashhurst, Sir John Newport.

On February 8th, Lord Castlereagh rose, pursuant to notice, to move for the appointment of a Select Committee, to inquire into the Income and Expenditure of the country. He said, that he felt that he owed to the House of

[D]

Commons

Commons some explanation of the reasons why he recommended such a measure in the present instance, since the House would undoubtedly expose itself to a great deal of just reproach, if the only plan of economy it had in contemplation was that which had been occasioned by the change in the Windsor establishment. When two years ago he had adopted the same course he was now pursuing, he had stated that the then condition of the country required it. At that time, his hon. friend, the member for Bramber, expressed some alarm, because he had admitted that he was not sanguine enough to hope that in the course of that session, the committee would be able to establish so flattering a result. He now felt great confidence that at the termination of the labours of the committee he was about to propose, it would be found that there had been that growing surplus of which he had then spoken, and that the balance in favour of income had been created by the progressive advance of the various sources of revenue. His lordship now entered into a statement of the income of the country, comparing the quarter ending on Jan. 5th, 1818, with the quarter ending on the 5th of Jan. 1819. The receipts on the former were 51,665,458*l.*, that of the latter 54,062,000*l.* showing an increase upon the last quarter of 2,397,000*l.* It was material, however, to observe, that upon the sum first named, there were certain arrears of war duties on malt and property considerably beyond 2,000,000*l.* which reduced the income to the 5th Jan. 1818, to 49,334,927*l.*; while the arrears of the same

taxes up to Jan. last amounted only to 566,639*l.*; so that the produce of the permanent for the latter quarter was in 53,497,000*l.*, being an increment in the whole of 4,163, deducting from both the amount of the arrears of each. Men were likewise probably aware that a considerable amount of duty had been admitted into receipts for Dec. 1818, which fact belonged to the revenue of the preceding year, and ought therefore to be added to the produce of the sugar duty 1819: this would take a considerable sum from the net produce of 1818, and reduce 48,724,000*l.*, while that of 1819 remained at 54,062,000*l.* difference, allowing for trifling deductions, would be 5,328,000*l.*, or not less than an increase of 10 per cent upon ancient permanent taxes. It was impossible to announce to the House a more encouraging prospect than this state of things afforded.

With respect to the expenditure, the finance committee of the last year had stated it at 51,062,000*l.*, but the estimates before the House showed that it was 50,442,000*l.*, or about 650,000*l.* less than the sum expended. Adding therefore the reduction by economy of 650,000*l.* to the improved revenue, it appeared that the country was now in a better situation by 2,145,000*l.* than the former finance committee had ventured to anticipate, adding also to that sum 1,413,000*l.* on which the committee had calculated, a total surplus of 3,558,000*l.* was the sum applicable to the reduction of

ebt. Out of that, the the loan was to be promounting to 1,000,000*l*. left 2,500,000*l*. of a revenue. The noble lord ed upon those points ministers had the satisf feeling that subsequent might be effected in t condition of the coun is details on this sub- ictly dwelt on the reduc- e expected in the army, e parliament would be n to vote, connected opic of military reduc- concluded with admit- if this were a deduction ity merely drawn from tion of the burthens of t, the prospect would any means so enliven- it was peculiarly satis- trace the growing re- the country to the in- d every thing that con- ie real and solid wealth e.

cluded by moving, Select Committee be- to inquire into and state ie and Expenditure of d Kingdom, for the year : 5th of January 1819; o consider and state the Income and Expendi- he year ending the 5th / 1820, and to report the ethod with their obser- ereupon, to the House; o consider what further may be adopted for the the country from any : said expenditure, with- nent to the public in-

erney began his speech al remarks upon the ex-

pected Finance Committee, from which he was prepared to regard them in the same light with their predecessors. He then came to the substantial part of the noble lord's speech, the improvement in the revenue. He said, that what he wished to see, was the exact sum which would be available for the present year. The noble lord had affirmed, that the income and expenditure would meet, and there would remain a surplus. But in building up this argument, and drawing so happy a conclusion from it, he had thrown out of his view altogether the sinking fund. This, he conceived, was a delusion on the part of the noble lord. He would explain the matter. There was an old debt upon that fund of 8,300,000*l*.: then he should say, that before one farthing of the surplus of that fund could be made available to the expenses of the current year, the whole of the old debt upon it must be wiped off. If then, this sum or surplus were added to the debt of last year, there would be an improvement in this year of two millions; and on the 5th of January 1820, all the advance which the country could make would be to get clear of the old debt. There were, indeed, various taxes, the whole of which exceeded more than seven millions; but this was the outside of the amount towards covering the expenses of the army, the navy, the ordnance, and the miscellaneous services. A million, indeed, was due from France, which the country were led to expect, would be paid upon the evacuation of the French territory; but the chancellor of the exchequer seems to show that

the sum cannot be calculated upon. Mr. Tierney proceeded—It was the recent, strong, and general expression of public opinion, the unanimous calls for economy from one end of the kingdom to the other, which had made an impression on the noble lord and his colleagues, and to which was due any forced effort of theirs to economise. How could any man in his senses say, that with an income of only seven millions, and an expenditure of twenty millions, both ends would be made to meet, and a surplus left. Arguments founded upon the sinking fund, as applicable to the public service, would be a gross delusion; yet it was a delusion which had long been practised, and would still be supported by the finance committee. It was absolute mockery to talk of the advantages of a sinking fund, whilst the government was obliged to borrow a sum of 13,000,000*l.* a year to support it. Then, what was to be done? He would not say that faith should be broken with the public creditor; but he did say, that the system which had been and was still pursued by ministers, would lead to that or to some other measure equally dangerous. How, under such circumstances, could the Bank be expected to pay, while government were confessedly unable to make good their engagements to them? And yet, in this very state of things, the Chancellor of the Exchequer was about to call upon them that night to vote 24 millions of Exchequer bills in one line, without coming to the point that would relieve the country from its difficulties. Would the

noble lord say, with these facts staring him in the face, that the country was in a most prosperous state, that we were going on flourishingly, and were the astonishment of the world? He conceived that, instead of being in a prosperous, we were absolutely in a frightful situation; and if the world looked upon us with astonishment, he should only say, well they might, for he believed that never at any period did we present such a melancholy picture of financial derangement.

Mr. Tierney spoke some time further, particularly commenting upon the noble lord, and the chancellor of the exchequer; and he concluded by saying, that the system on which ministers were proceeding, was one against which he must protest, inasmuch as artful men were making large sums by it, whilst the bulk of the people were consigned by it to ruin.

The *Chancellor of the Exchequer* commenced by defending the Finance Committee from the attacks of the last right hon. gentleman, assuring the House that the country had been much indebted to its labours, and that many sinecures had been abolished, and much reduction had taken place in the military and naval establishments, in consequence of their recommendations. Among other objects, for example, the committee had anticipated that the revenue of the year ending 5th of January last, would exceed the expenditure by two millions and a half. In fact, it did exceed it by four millions; but the right hon. gentleman, finding that that statement exhibited

so flourishing a view of our
 on, had brought into his
 certain particulars which
 not enter into a fair com-
 . He had taken the whole
 of the consolidated fund
 e sinking fund, and had
 own that our expenditure
 nsiderably exceeded our
 s. It was impossible that
 ould not be the case, as so
 erable a part of the war
 ad been abolished. Par-
 had thought fit to relieve
 ntry from fifteen millions
 es, and thus they neces-
 nd unavoidably prevented
 et which would have been
 ed in the redemption of
 t by these fifteen millions
 y. With respect to his
 operations for the present

year, he could only answer the
 right hon. gentleman, as he had
 answered an hon. member some
 nights ago—he would not prema-
 turely tie up his own hands, but
 would reserve to himself the
 power of adopting those mea-
 sures which the situation of public
 affairs rendered most expedient.

Several other gentlemen spoke
 on this subject, some of whom
 appeared by no means inclined to
 adopt all the flattering predic-
 tions contained in the ministerial
 speeches. The motion was at
 length agreed to; and the same
 committee was re-appointed, with
 the exception of two, who were
 no longer in parliament, and
 whose names were supplied by
 two other members. The whole
 number amounted to 21.

CHAPTER IV.

The House of Commons in a Committee on the Exchequer Consolidation Acts. The Chancellor of the Exchequer moves for a Committee on the Consolidated Fund Produce Bill. The House of Lords reads for the third time the Bill for rendering the Produce of the Consolidated Fund available for the Public Service, which passes. The Earl of Harrowby's Report from the Select Committee. The same in the House of Commons.

ON March 8, the House of Commons having resolved itself into a committee on the Exchequer Consolidation Acts, the *Chancellor of the Exchequer* said, that he did not anticipate any objections to the arrangement he was about to propose. By the practice of the exchequer, the revenue received for the purposes of the consolidated fund accumulated till the end of the quarter, and those sums had not been made applicable to the public service, but the Bank had had the advantage of the interest on them. The accumulations of the sums thus received for the consolidated fund, which were not applicable at present, unless to the payment of the interest of the public debt, the sinking fund, and the civil list, he proposed to apply to the public service, till required for their original purpose. The simple proposal, therefore, which he had to submit to the House was, that the public should have the benefit, instead of the Bank, of those accumulations. The sum to be thus applied, however, he should propose to be limited to a definite amount,

namely, six millions, which was nearly as large a sum as was usually accumulated from one quarter's end to the other. He should further propose, that at the time these sums were taken from the exchequer, exchequer bills should be replaced as a security, which bills should be realised at the close of the quarter. It would be recollected by the committee, that a negotiation between the Bank and Mr. Perceval took place in 1808, at which time that minister entertained a similar idea. But this plan was subsequently given up, and Mr. Perceval thought that the more convenient mode would be, to accept from the Bank the sum of three millions without interest, in lieu of the advantages the public would have otherwise derived from the appropriation of these sums to the public service. At the time when Mr. Perceval made his arrangement, the balances in the hands of the Bank were far more considerable than at present. Since that time the amount had greatly decreased in consequence of the peace; and a very large sum had been taken from these

these balances by the new arrangement with regard to the payment of the linking fund under the consolidation acts. The remaining balances had been reduced as low as could be allowed with safety; and from the accounts upon the table, it would be seen that there were seldom in the hands of the Bank, balances for more than ten days of what the public service required. He had now the satisfaction of stating to the committee, that the Bank had expressed its willingness to assist in carrying this plan into execution. In the measure he should propose, he should also introduce a clause limiting, for a certain time, the application of the sum of six millions, so taken out of the exchequer, to the public service, and applying it to the liquidation of debts due to the Bank from government. It would be recollected, that there was an arrear of the consolidated fund amounting to upwards of three millions outstanding from last January 5th, to the liquidation of which debt a portion of the sum of 6,000,000*l.* would be applied. With a view of satisfying all parties, he should introduce a clause for limiting the continuance of the measure to the 5th of July, 1820. He concluded with moving, "That it is the opinion of this Committee, that it is expedient the growing produce of the Consolidated Fund in Great Britain be made applicable in each quarter, to an amount not exceeding six millions on the whole at any time, for such services as shall be voted by parliament, until the same be

required for the services for which it is appropriated."

After several members had spoken on each side, the resolution was agreed to.

On March 18th, the *Chancellor of the Exchequer* moved the order of the day, for the House to resolve itself into a committee on the consolidated fund produce bill. On the motion, "That Mr. Speaker do now leave the chair,"

Mr. Grenfell said, that the proposed measure was by no means what the House had a right to expect from the repeated statements and declarations of the chancellor of the exchequer, since the commencement of the session, and particularly those of February 1st. He would venture to appeal to every member in the House, whether what had fallen from the right hon. gentleman did not amount to this—that as public money had accumulated in the hands of the Bank of England to the amount of seven millions, he had a measure in contemplation which would have the effect of abstracting six millions, and rendering it available to the public service. Something had fallen from him leading to a supposition that he meant to limit his bill to the exchequer balances, which had immediately induced him (*Mr. Grenfell*) to state that there were other balances, amounting upon an average to three millions, and that he should not be satisfied unless they were also appropriated to the service of the nation. Did not the right hon. gentleman then assert unequivocally, that his plan would not be confined

confined to the exchequer deposit, but would embrace all the public money in the hands of the Bank; or, to put it more shortly, deprive that body of six out of seven millions, leaving one million as an adequate remuneration for its trouble. Now, the utmost that could be obtained from the bill was, that the public would receive what was equivalent to the interest upon three millions instead of six. It was well known that there were no less than 56 balances of various kinds in the hands of the Bank, and the measure now proposed, only touched one of them.

The *Chancellor of the Exchequer* said, that the very title of this bill was the best answer to the hon. gentleman's observations. That title was for the application to the public service, of a part of the growing produce of the consolidated fund. It professed solely to refer to the exchequer bills account, which was certainly only one, though a very important one, of the 56 accounts of balances. The hon. gentleman was well aware that since the peace, the public balances in the hands of the Bank had been reduced to six or seven millions; he must also know, that with respect to several of these balances he had no control, as their appropriation was specifically enjoined by a distinct act of parliament. There was, it is true, another branch of public balances in the hands of the Bank, namely, the revenue balances, which were no longer suffered to remain in the hands of private bankers, and these were paid weekly, and

sometimes oftener, to the exchequer. If, in the course of business, still further sums could be rendered available for the public, he was ready to admit that such savings ought to receive immediate attention. He had no hesitation in saying, that the interest of six millions would be available to the public, three millions on the day after this act passed. The bill did not protect the Bank against any further reduction of their balances, if it should appear advisable to make such reduction.

Mr. Tierney said, that these Bank balances consisted of two descriptions; one from the growing produce of the consolidated fund; the other arising from the general receipts of the departments of the government. How came it, then, that the proposed measure was reduced to so limited a scale? As to these six millions being made available, he believed that such a hope had no existence but in the imagination of the chancellor of the exchequer. He, however, first took credit for three millions, going to meet certain arrears and deficiencies arising on former quarters out of the consolidated fund. Now, for such a purpose, he had no necessity for the present bill, as there already existed an act of parliament which provided for such deficiency by the issue of exchequer bills, which bills were to be met by the current revenue of the succeeding quarter. Then came the other branch, namely, the re-payment of three millions due to the Bank. What means had the House of knowing, that a sum existed to be

GENERAL HISTORY. [41

was applied? Would the tellor of the exchequer say, there existed the means of paying to the Bank an actual positive payment of three millions? Surely, he must feel it would be unbecoming in him to say so, merely because a balance existed on one particular day in the quarter. It might remind the right hon. gentleman, that early in the present session, he himself thought the consideration of the balances should be referred to a committee now sitting on the Bank question. The right gentleman concluded with his amendment, the postponement of the committal of the bill until Monday se'nnight. The *Chancellor of the Exchequer* said, that his bill went to regulate the whole question respecting Bank balances, and he could consent to postpone it for the time alluded to.

The House divided on the tellor of the exchequer's motion: Ayes, 154; Noes, 80. The House then resolved itself into the committee.

Mr. Tierney having pressed the tellor of the exchequer to state in what manner he expected the difference between two and three millions available to go in reduction of the Bank loan, and that gentleman having replied, that he expected the amount would come out as he had already stated Mr. T. declared that he did not believe a single word of it. Some other questions and answers were made by different members, after which the House resumed, and the report was

ordered to be received on the following day.

On March 29th the House of Lords entered upon the third reading of the bill for rendering the growing produce of the consolidated fund available for the public service.

The *Marquis of Lansdowne* said, that the bill should have his warmest support, since nothing could be more just than its provisions, so far as they went. He must, however, call their lordship's attention to the principle on which it was founded, and the very limited extent to which that principle was carried. Alluding, then, to the spirited efforts made by a member of the other House (Mr. Grenfell) to obtain for the public a share in the balances left in the possession of the Bank, the marquis observed, that the bill confined the application of its principle to one description of balances, namely, that on the growing produce of the consolidated fund, and asked, why was not this principle carried to a greater extent? Why was it not applied to the balances of the customs and excise, of which at least three millions might be made available each quarter in the same manner? It had been boasted that the arrangement contemplated by this bill would produce a saving of interest on balances to the amount of six millions, whereas the fact was, that the average of these balances did not exceed four millions. Besides, the advantage could only be enjoyed by the public for a small part of the year; for it was provided, that the bills made out under

under the act of the 57th of the king, commonly called deficiency bills, should be discharged before this measure could operate. The sum required for the discharge of these bills, in the course of the last two years, amounted to not less than 3,300,000*l.*, and the only advantage which the public could obtain by the measure, must be limited to the saving of interest on the casual and temporary employment of about 2,300,000*l.* after the deficiency bills were discharged, which, upon an average throughout the year, would not be more than equal to one million.

The *Earl of Liverpool* reminded the House, that the question as to the advantage the public ought to derive from the balances deposited in the Bank, had been very fully considered in 1807 and 1808, when the Bank proposed to advance a loan of three millions without interest, which it was then thought advisable to accept, rather than the other alternative. With regard to the average amount of the balances in question, it was probable that the sum would be ultimately not less than four millions. As to the balances to which the noble marquis had alluded, he had no difficulty in stating, that it had not been thought proper to extend the principle further at present, while an inquiry was going on which had for its object the affairs of the Bank.

The bill was then read a third time, and passed.

On April 5th, the *Earl of Harrowby* presented to the House of Lords a report from the Secret

Committee appointed by the House to inquire into the state of the Bank with reference to the resumption of Cash Payments. The report stated the notice by the Bank of their intention of paying in cash certain notes issued prior to 1817, which notice had been acted upon, and had caused a considerable drain of specie; and it recommended, with a view to the more speedy and effectual resumption of cash payments generally, that the Bank should be prohibited from paying in gold the notes for which such notice had been given. His lordship mentioned his intention to bring forward a legislative measure on the next day, in unison with the recommendation contained in the Report, with a view to the speedy passing of which, he should move that the standing orders should be taken into consideration to-morrow, in order to their suspension.

Earl Grey expressed his astonishment at the proposition which had so unexpectedly been made, and from which he could draw no other conclusion than that the conduct of the ministers towards the Bank was the result either of ignorance, or fraud. He could conceive no necessity for such a measure short of that which operated in 1797; and if that case had occurred, he contended that the same course ought to have been resorted to, namely, that the privy council should, upon their responsibility, have directed the suspension of cash payments at the Bank, and then would have succeeded the legitimate functions

GENERAL HISTORY. [43

liament to have investigated on which that
ion had been come to.
elt it his duty to say
upon the very un-
proposition brought
y the noble earl, and
uch he must now de-
d solemnly protest.

Earl of Harrowby said,
et given any notice in
on as one of the king's
but in his capacity as
of the committee by
report had been una-
greed to. Neither was
east foundation for the
a that this measure was
n the part of the Bank;
ntrary, there was no
tever of its ability to
d all its engagements.
n of the measure was,
on of the committee,
der to ensure at the
riod the permanent re-
of cash payments, it
lient to pass the mea-
ed to.

Other lords spoke upon
it; after which, *Earl*
again, and after assert-
e thought the measure
was pregnant with
ut being aware that
his noble friends viewed
fferent light, he said,
e being now a question
House, the only mode
he could resort was, to
the House do now ad-
he question of adjourn-
put and negatived. The
orders were ordered to
into consideration to-
and the Lords to be
l.

House of Commons, on

April 5th, the first report of the
Secret Committee on the expa-
diency of the Bank resuming
Cash Payments, was made to the
following effect:

"The Committee of Secrecy
appointed to consider the state
of the Bank of England, with
reference to the expediency of
the resumption of cash payments
at the period fixed by law, and
into such other matters as are
connected therewith; and to re-
port to the House such informa-
tion relative thereto, as may be
disclosed without injury to the
public interest, with their obser-
vations thereupon, are engaged
in deliberating upon their report,
which they hope to present to
the House on an early day after
the approaching recess. The
committee having a confident
expectation that, in that report,
they shall be enabled to fix a
period, and recommend a plan,
for the final removal of the present
restriction on the Bank, think it
their duty to submit to the House,
that the execution of any such
plan would, in their opinion, be
materially obstructed and delayed
by a continuance of the drain
upon the treasure of the Bank,
on account of the engagement of
the Bank to pay in cash all its
notes outstanding, of an earlier
date than January 1st, 1817, and
on account of the payment in
cash of fractional sums under 5*l*.
That the committee therefore
think it their duty to suggest to
the House, the expediency of
passing forthwith a bill, restrain-
ing all such payments in gold
coin, until the report of the com-
mittee shall have been received,
and considered by the House,

† and

and a legislative measure passed thereupon."

Mr. Peel then rose, and moved for leave to bring in a bill founded on the Report which had been just read. Its object would be, to restrain the issue of sovereigns for fractional payments under 5*l.*, in consequence of notices issued in the course of 1816-17, in which the Bank undertook to pay in specie all notes dated previously to the 1st of January 1817. In consequence of these notices, the treasure of that body had suffered a very considerable drain. Accounts had been presented to the House of the issues of sovereigns between the 1st of January 1816, and the first of January of the present year, in which time it appeared that 4,500,000*l.* had been issued from the Bank: 700,000*l.* had afterwards been issued; so that the whole sum amounted to 5,200,000*l.* of treasure which had been withdrawn from the Bank. The object of the bill would be, to restrain, till the expiration of the present session of parliament, issues of cash such as he had described. The delay would enable the House to consider the subject, and to take the measures which the committee might hereafter suggest. The reasons for this measure lay within a short compass. Whenever the time came for removing the restriction, a large sum in cash would be necessary, much exceeding what the Bank had at present in its possession. This diminution of its treasure would make the Bank less able to return to cash payments, and would therefore tend to postpone the period for the termination of the

restriction. It was for these sons, and in the fullest confidence that it would hasten the payment of cash payments, that he should propose the measure. He was also equally confident that the restoration of a standard of value in this country, as invariably the nature of things admitted, would not be accompanied by those inconveniencies which persons apprehended.

The right hon. member moved "for leave to bring in a bill to restrain the Governor and Company of the Bank of England from making payments in specie under certain notices given them for that purpose." He added, as it was of the highest utility that the measure should pass as expeditiously as possible, he hoped the House would give it to go through its several stages that evening.

Mr. Brougham said, that he himself considerably embarrassed by the course taken by the chairman of the Bank committee, proposed to them a measure on their confidence in the respectable advisers of the Crown on their acquiescence in the movements of a committee of their own; but on the allegation of something not explained, they were called upon to pass a measure of great importance, not without discussion, but without the possibility of discussion. After reasoning for some time respecting the peculiarity of the case, *Mr. B.* asserted that no consideration could have induced him to concur in the measure if it were not necessary to support the credit of the Bank, but if he thought of the stability of that establishment

GENERAL HISTORY. [45]

brought it the mercantile of the country, were in from the payment of old and fractional sums, howe might blame the Bank for improvidence, he should felt it necessary to protect ntry from the consequence imprudence.

Castlereagh said, that if easure had been brought d simply for the conve- of the Bank, or for the rt of its credit, it would been unfit that it should een disposed of in the way roposed. But they might ured that the credit of that was so high, that there not have been any ne- to have interposed be- the Bank and its creditors, t for public convenience. on. and learned gentleman ily said, that the question the House was a balance nveniences; but he trusted cts would support the mea- proposed. To-morrow or xt day the dividends would a course of payment; and measure were not carried gh as fast as the forms of ment would admit, notice l be given to all holders of of an early date to carry for payment. He hoped, rer, that the House would r in speedily carrying the re.

Tierney affirmed that this ne of the most important res that could be brought parliament; and if one surprised him more than er, it was the extraordinary ure with which the propo- had been received. Of this ve several instances; but,

said he, *necessitas suprema lex*, and it was necessary to examine how the question of the issues stood. It was in 1817 that the notices were issued under which the pay- ments were made, and the drain had gone on without answering any other purpose than to enable the chancellor of the exchequer to make a speech, to say that, cash payments were virtually re- sumed. In the last year he had brought in a bill for continuing the Restriction act; and at that time he saw with his eyes wide open the drain which was then going on more rapidly than at any time since, yet took no step to stop it. What was the time when this alarm first came upon him? Why, no sooner than this day at twelve o'clock. For his own part, till yesterday, he should no more have thought of the committee making such a report, than of their doing the most improbable and extravagant thing in the world. The House at large were in the dark from knowing too little; he, on the contrary, was in a difficulty from knowing too much, as a member of the secret committee, and was continually afraid of letting some of his know- ledge out. But to mention a fact that was no secret: what had been the conduct of the Bank? Their whole object, it was said, was, to resume cash payments. They lived in the hope of it, and the delay was misery. It was not, however, to such a degree as to induce the Court of Di- rectors to come to any resolution on the subject; and so quiet were they, that no conversation had taken place between the governor and the chancellor of the exche- quer for the last three months.

What

What was the reason for so rapidly passing this measure? Why, merely from a mysterious recommendation from the committee, that the adoption of such a measure was necessary to enable the Bank to resume cash payments at some time—it was not stated when. It was said, on the part of the Bank, that they did not ask for this measure. But it was for the House to consider whether it would allow, upon such a suggestion, all its usual forms to be suspended, of the necessity for which it had no evidence whatever.

Lord A. Hamilton conceived the measure to be only a continuance of the system of restriction; with this difference, that when such a measure was proposed before, some grounds were stated for it, and these grounds were discussed, but at present it was to be carried without any discussion of its merits.

Several members spoke on each side of the question on this debate. At length,

The *Chancellor of the Exchequer* said, that when the time arrived to enter upon details of this subject, he should be prepared to show that there was no inconsistency between the principle of this measure and the principle which governed his other arrangements on the subject. He only regretted that the measure had not been earlier introduced. The fact was, that he had been entertained last year that the state of exchange would have come round, and obviated the inconveniences complained of.

The House having resolved itself into a committee on the Restriction acts, leave was given to bring in the bill. The bill having resumed, the bill was read a first and second time, committed, and reported. On the motion that it be read a third time, *Mr. Gurney* made some observations tending to disapprove of it.

In fine, the bill was passed.

CHAPTER V.

Mr. Mackintosh's Address respecting the Criminal Laws.—Trial of the Little Abolition Bill.—First Report of the Secret Committee, on the Expediency of the Bank resuming Cash Payments.—Proceedings in both Houses respecting the Claims of the Roman Catholics.

James Mackintosh, on Feb. 2, in rising to address the House of Commons concerning the system of Criminal laws, with noticing some considerations made by the noble lord (Pitt) which would tend to narrow the grounds of difference between them, in so far as both were agreed that the state of the criminal law in the country called for investigation, and that a select committee would be the proper course to pursue in it. Proceeding then to the former question, which was a comparison between the noble lord's system and his own, he proposed to show that in accordance with the usage of the House, he would propose that the House should nominate separate committees; whereas the noble lord proposed that the committee which had been named, should nominate three committees. Mackintosh found no difficulty in his own proposition the priority to that offered by the noble lord.

He next inquired into the extent to which the House of Commons afforded him by their former proceedings, and he began with 1750, when, in consequence

of the alarm created by some species of crimes, a committee was appointed "to examine into and consider the state of the laws relating to felonies, and to report to the House their opinion as to the defects of those laws, and as to the propriety of amending or repealing them." The persons of whom the committee were then composed were Mr. Pelham, Mr. Pitt, Mr. G. Grenville, Mr. Lyttleton, Mr. C. Townshend, and Sir Dudley Ryder. The first resolution in which these distinguished persons agreed, was, "that it was reasonable to exchange the punishment of death for some other adequate punishment. A bill was brought in, founded on the resolutions of the committee: it passed this House, but was thrown out in the House of Lords. In 1770, another alarm, occasioned by the increase of a certain species of crime, led to the appointment, on November 27, of another committee, of which Sir Charles Grenville, Sir William Meredith, Mr. Fox, Mr. Serjeant Glynn, Sir Charles Bunbury, and others, were members. That committee was occupied for two sessions with the subject, in the second of which they

they brought their report to maturity. It passed the House of Commons, but was thrown out by the House of Lords.

Sir James M. now said, that it was upon these precedents that he had formed, and that he brings forward, his motion. But he must first mention what his object is *not*, in order to obviate the misapprehensions of over-zealous supporters, and the misapprehensions of desperate opponents. "I do not propose to form a new criminal code. Altogether to abolish a system of law, admirable in its principle, interwoven with the habits of the English people, and under which they long and happily lived, is a proposition very remote from my notions of legislation. Neither is it my intention to propose the abolition of the punishment of death. I hold the right of inflicting that punishment to be that part of the right of self-defence with which societies, as well as individuals, are endowed. Nor do I wish to take away the right of pardon from the crown; on the contrary, my object is to restore to the crown the practical use of that right. The main part of the reform which I should propose, would be to transfer to the Statute Book the improvements which the wisdom of modern times has introduced into the practice of the law. One of my objects is, to approximate them: to make good men the anxious supporters of the criminal law, and to restore that zealous attachment to the law in general which has distinguished the people of England among the nations of the world."

Having (said Sir James M.) concluded my general remarks, I will now enter into a few illustrative details. Among these, we shall take no notice of the least important articles, but go directly to those which constitute the main purpose of the eloquent speaker's address.

The real state of the case (said he) is, that in the first or highest class of felonies, the law has been executed in every case; that in the middle class it has sometimes been executed; and that in the lowest class it has not been executed at all. To correct this anomaly, so injurious, and so subversive of the great purposes of criminal jurisprudence, is the object that I have in view.

For the sake of clearness, the hon. and learned member divided the crimes against which our penal code denounces capital punishment into three classes. In the first, murder, and murderous offences, or such as are likely to lead to murder, such as shooting or stabbing with a view to the malicious destruction of human life, on which the law is invariably executed; in the second, arson, highway robberies, piracies, and other offences, to the number of nine or ten, on which, at present, the law is carried into effect in a great many cases. On those two divisions, he admitted, for the present, that it would be unsafe to propose any alteration. Many of the crimes comprehended in them ought to be punished with death; and he was persuaded that a patient and calm investigation would remove the objections of a number of well-meaning persons who are

GENERAL HISTORY.

pinion. But looking at the offences at the criminal code, to the effect of it, he saw a number of offences, some connected with frauds of various kinds, others of the most frightful description, to the number of about 150 in number, in which the punishment of death is denounced by law, although that punishment is never at present executed. There can be no doubt that for capital felonies should be removed from our Statute-book, as a disgrace to our law, creating a false opinion, more sanguinary than it has been rendered in practice. There are many more capital felonies of a similar nature, which are relics of barbarous times, which are disgraceful to the credit of an enlightened and civilized people. For such offences, punishments quite adequate and sufficiently numerous, which the wisdom of the Legislature may order to be in-

substituted on this ground on this (Sir James Mackintosh to say) is afforded by a middle class of offences, such as larcenies and frauds of various kind, though not attended with violence and terror. We do not propose, in any way, to interfere with the discretion of the judges in deciding on any crime to which the punishment of death ought, under circumstances, to be attached; we examine whether or not it is consistent, upon the whole of the subject, that death should remain the punishment

[LXI.]

expressly directed by law for offences, which, in the execution of the law, are never so severely punished than with transportation, either for life, or for limited periods. On this subject, he took occasion to pay an affecting remembrance to the late Sir Samuel Romilly, with whom he had fully concurred in thinking, that the punishment of death ought not to be attached by law to any of those offences for which transportation is a sufficient punishment. In this case, he joined his late friend in the conviction, that the balance of advantage is decidedly against the continuance of the existing system.

The House (said he) will still bear in mind that I do not call for the abolition of the punishment of death, but only in those cases in which it is rarely, and ought never, to be carried into effect. In such cases I propose to institute other milder but more invariable punishments. Nothing, in my opinion, can be more injurious than the frequency with which the sentence of death is pronounced from the judgment-seat, when it is evident, even to those against whom the punishment is denounced, that it will never be carried into effect. In all nations, an agreement between the laws and the general feeling of those who are subject to them, is essential to their efficacy; but this agreement becomes of unspeakable importance in a country in which the charge of executing them is committed, in great measure, to the people themselves. I know not how to contemplate, without serious apprehension, the consequences that

[E] may

may attend the prolongation of a system like the present. My object is, to make the laws popular, to reconcile public opinion to their enactments, and thus to redeem their character. The just and faithful administration of the law is the great bond of society. If those who hold the reins of government, instead of attempting a remedy, content themselves with vain lamentations at the growth of crime, that growth must continue to spread a just alarm.

I will now, Sir, conclude by moving, "That a Select Committee be appointed to consider of so much of the Criminal Laws as relates to Capital Punishments in Felonies, and to report their observations and opinion of the same, from time to time, to the House."

Lord Castlereagh then rose; and after complimenting the hon. and learned member on a speech, in the temperate and candid style of which he was sure he joined the whole House, he said, that the true question on which he was at issue with the hon. and learned gentleman was, to consider the species of proceeding which would be most likely to lead to a wise and salutary result. In his notions concerning this matter, it was evident, that the noble lord had a decided preference to a practical view of the subject, while he held, in profound contempt, what he called the abstract and visionary opinions of his antagonist. These differences constituted the whole of his argument, which he concluded with a motion. He felt it, he said, his duty to move the previous ques-

tion on the motion made by the hon. and learned gentleman; not from a wish to oppose him, not from any disposition to throw obstacles in the way of inquiry, but because he conceived the adoption of the hon. and learned gentleman's views would tend to separate the inquiry into the state of the criminal law, from the inquiry into the nature of punishments; thus defeating the united consideration of such important and concomitant topics; and because he therefore thought the appointment of the committee of last night was the step most calculated to lead to advantageous results.

Among the speeches in favour of his hon. and learned friend, one of the most decided was, that of *Mr. Wilberforce*. He began with declaring, that in his long experience of that House, he had never heard a more able address, a more splendid display of profound knowledge of the subject, with such forcible reasoning from the facts which that knowledge had called forth. He had not only derived great pleasure from what he had heard, but also from what he had not heard in the course of the discussion; namely, those arguments, or rather those objections, against alterations of, or inquiry into, old laws and customs, which had been so vehemently urged at former periods. He had heard opinions at that time, which any man would blush to hold at the present day. No such objections were, however, made on this occasion; and the only one to the motion of his hon. and learned friend was, that it would be better to refer the matter

matter to the committee proposed by his noble friend. Why should he prefer the expectation of a committee, when he might have one at the present moment, when there were so many reasons urging to the immediate inquiry? Why should not some alteration be made, which would take from a jury the painful task which they had so often to perform at present? and yet that could be done by an alteration of the laws. It had been said, that our laws had not been made all at once, but had been the result of gradual legislation. That was the fact; but it argued nothing against the original motion. It was thought a safe way of checking the crime, to fix the penalty of death against its commission. But experience taught, that this was a most erroneous mode of legislation. The persons with whom we had to deal, were such as were careless, as well of this life, as of the life to come. They looked not to the enormity of the crime, but to the chance of escaping the punishment. Ought, then, the system to be continued which this very principle brought into action? If not, there was the very best reason for a committee. He could not but think, that instead of being considered hasty in their desire for a committee on this subject, they ought rather to be accused of being tardy in not having called for it before; and that the legislature was to blame in having so long neglected a matter wherein human life was at stake.

Several other members spoke upon this occasion. At length, the previous question being put,

"That that question be now put," the House divided: Ayes, 147; Noes, 128: Majority in favour of Sir James Mackintosh's motion, 19. The main question was then put and agreed to; and a committee was appointed, consisting of several leading members.

Trial by Battle Abolition Bill.

The *Attorney General* having, on March 19, moved the order of the day for the farther consideration of the report of this Bill, *Sir F. Burdett* rose, to consider at large how it would affect the right of appeal, with which, he conceived, it had nothing whatever to do, any more than an indictment at common or statute law. It was, he thought, a measure which went to increase the power of the Crown, inasmuch as it would deprive the subject of an appeal against what might be an illegal and unjust extension of the power of the Crown in pardoning criminals in cases of murder. After a considerable discussion upon this subject, *Sir F. Burdett* moved, to leave out from the word "That," to the end of the question, in order to add the words, "That this bill be recommended."

Mr. Sergeant Copley said, that he would rather that the bill of his hon. and learned friend should be lost altogether, than that an attempt should be made to carry it into effect with the amendment proposed to be made. He then adduced a considerable number of facts, to show, that the right of appeal was still acted upon, and considered as the law of the land. Proceeding to the speech of the hon. baronet, he said he

had maintained, that the Crown had no right to pardon for murder, and that it was abolished by statute. In this he begged leave to differ from him entirely. The Crown had the prerogative, though it might, like other prerogatives, be abused; but if taken from the Crown, where would the hon. baronet have it placed? When a party was prosecuted for a criminal offence, it was necessary that he should be charged upon oath, and a grand jury must find a bill before he could be put upon his trial; but in a case of appeal, it was only necessary for the appellant to make affidavit that he believed the party to be guilty. Yet such was the system which the hon. baronet, an avowed friend to the liberty of the subject, felt himself called upon to applaud.

The *Attorney General* justified the clause as absolutely necessary. If, in the case of *Ashford v. Thornton*, the appellant had persevered in the trial by battle, he had no doubt the legislature would have felt it their imperious duty at once to have interfered, and have passed an *ex post facto* law for preventing so degrading a spectacle from taking place.

The question being put, "That the words proposed to be left out, stand part of the question," the House divided; Ayes, 86; Noes, 4.

On the 22nd of March, the same bill being moved for a third reading by the *Attorney General*, *Sir Robert Wilson*, after moving, as an amendment, "That the bill be read a third time this day three weeks, the House again divided upon the question that

the bill be now read a third time. This was carried by Ayes, 64; Noes, 2: Majority, 62. The bill was then read a third time, and passed.

First Report of the Secret Committee, on the expediency of the Bank resuming Cash Payments.

"The Committee of Secrecy, appointed to consider of the state of the Bank of England, with reference to the expediency of the resumption of Cash Payments at the period fixed by law, and into such other matters as are connected therewith; and to report to the House such information relative thereto, as may be disclosed without injury to the public interests, with their Observations thereupon—Are engaged in deliberating upon their report, which they hope to be able to present to the House on an early day after the approaching recess.

"The committee having a confident expectation that, in that report, they shall be enabled to fix a period, and recommend a plan, for the final removal of the present restriction on the Bank, think it their duty to submit to the House, that the execution of any such plan would, in their opinion, be materially obstructed and delayed by a continuance of the drain upon the treasure of the Bank, on account of the engagement of the Bank to pay in cash all its notes outstanding, of an earlier date than Jan. 1st, 1817, and on the account of the payment in cash of fractional sums under 5*l*.

"That the committee, therefore, think it their duty to suggest

gest to the House the expediency of passing forthwith a bill, restraining all such payments in gold coin, until the report of the committee shall have been received, and considered by the House, and a legislative measure passed thereupon."

The Report was ordered to be printed.

Mr. Peel then said, that the object of this bill would be, to restrain, till the expiration of the present session of parliament, issues of cash in the manner he had described. The delay would enable the House to consider the subject, and to take the measures which the committee might hereafter suggest. The reasons for this measure lay within a short compass. Whenever the time came for removing the restriction, a large sum in cash would be necessary; that sum considerably exceeded the sum which the Bank had at present in its possession; and as it was manifest that any diminution of this sum would not be productive of any advantage to the country by its immediate effects, so it was also plain, that this diminution of its treasure would make the Bank more unable to return to cash payments, and would therefore tend to postpone the period for the termination of the restriction. It was for these reasons, and in the fullest confidence that it would tend to hasten the period of cash payments, that he should propose the measure. He then moved "for leave to bring in a bill to restrain the Governor and Company of the Bank of England from making payments in cash, under certain notices given by them for that purpose."

Mr. Peel then added, as it was of the highest utility that the measure should pass as expeditiously as possible, he hoped the House would allow it to go through its several stages that evening.

Mr. Brougham, among various other grounds by which he justified an opposition to the proposed bill in all its stages, said, that it would be one of the most unwarrantable kinds of proceeding, to commit a violent breach of the forms of the House to protect the House against its own regulations. The Bank had not been compelled to pay the notes issued before 1817; they had the option to pay or not pay. If, therefore, the measure had been founded on the convenience of the Bank, he had no doubt as to the course to be taken. But he had more doubt when it was put on another ground, namely, that the committee not having finished its investigation, but having made a certain progress in it, not seeing exactly to what end their deliberations would lead, had grounds for supposing, that another measure, if not necessary, would be mainly subservient. But when the proposition was thus stated, the question arose, why should this measure be hurried through the House with such extraordinary rapidity. The question now came to a balance of evils. If he was persuaded that the measure was necessary, and if it were delayed three or four days it would be wholly nugatory, he might be content to take the extraordinary step which was recommended; but unless the right hon. mover, and the other members of the committee

mittee could take on themselves to say this, he, for one, could not consent to see the standing orders of the House violated.

Lord Castlereagh next rose as an assistant to his right hon. friend, but it was merely for such a purpose that he gave himself the trouble of speaking at all.

Mr. Tierney affirmed that this was one of the most important measures that could be brought before parliament; and if one thing surprised him more than another, it was the extraordinary composure with which the proposition had been received. He went on to say, that they would now find that the promises of the Bank were worth nothing; and that the faith of the legislature was not more valuable than the promises of the Bank; for those who from excessive wariness chose to possess notes convertible into gold, were cut off by an act of parliament passed through each House in a single night, from the property which was gratifying to their own private feelings. But it would be said, *necessitas suprema lex*, and it was necessary to examine how the question of the issues stood. It was in 1817 that the notices were issued under which the payments were made; and the drain had gone on from that time to this without answering any other purpose than to enable the chancellor of the exchequer to make a speech, to say that cash payments were virtually resumed. In the last year he had brought in a bill for continuing the restriction act, and at the same time he saw with his eyes wide open, the drain which was

then going on more rapidly than at any time since, yet he took no step to stop it. He believed there was not a gentleman in the committee who before Saturday had heard a word either of the danger or the remedy; and for his own part, till yesterday, he should no more have thought of the committee making such a report, than of their doing the most improbable and extravagant thing in the world. The House at large were in the dark from knowing too little: he, on the contrary, was in a difficulty from knowing too much as a member of the secret committee. But to mention a fact that was no secret; what had been the conduct of the Bank? Their whole object, it was said, was to resume cash payments; they lived in the hope of it, and the delay of it was misery. The noble lord was very anxious on the subject: he had laboured to prove, that the less money the Bank had, the less they could pay (for that was the amount of his proposition), but as for the Bank, they felt no alarm whatever. So quiet were they, that no conversation had taken place between the Governor and the Chancellor of the Exchequer for the last three months. It was said, on the part of the Bank, that they did not ask for this measure. It was, indeed, only on Saturday night, that its expediency was suggested by two hon. gentlemen, one a Bank director, the other a gentleman, no doubt, of mercantile consequence. But it was for the House to consider, whether it would allow, upon such a suggestion, all the usual forms to be suspended, in order to carry a measure,

the necessity of which evidence whatsoever.

was the principal evidence brought by the right hon. in favour of the party he was supporting.

several members had their opinion concerning the bill, of whom the majority were clearly in favour of the measure employed by the right hon. the House resolved to commit the bill to a committee on the restriction acts, and leave it to bring in the bill. The committee having resumed, the bill was read a first and second time, and reported. The motion, that it be read a third time, Mr. Gurney said that he would not avoid expressing his opinion, that the measure would be productive of more evil, than good, and would result from any good exemption it.

The bill was then passed.

The House of Lords, after the bill of *Harrowby* had risen, that the standing order of the progress of bills be observed, that the present measure might pass through its stages forthwith, some lords made observations on the bill.

Standing orders being suspended the bill was then read a second time, and the commitment being negatived, it was passed a third time, and passed.

Roman Catholic Claims.

The House of Commons, on the 10th, petitions were presented respecting the claims of the Roman Catholics, by the members: Mr. Bastard,

against their claims, from the county of Devon, and from the city of Exeter; Mr. Peel and Mr. Methuen, on the same side; sir George Hill, from the citizens and inhabitants of Londonderry, on the same side; Lord Ebrington and Mr. Western, in favour of the Catholics; and many other petitions on the same subject, which were ordered to lie on the table.

On the same day, the *Right Hon. Mr. Grattan* presented eight Roman Catholic, and five Protestant petitions in favour of the Roman Catholic claims, after which he rose, and made a speech, of which the following were the leading points:

The hon. member began with expressing his ardent hope, that the wishes of the Catholics should ultimately succeed, and that they would give strength to the Protestant church, to the Act of Settlement, to the Protestant succession to the crown, and would form an identification with the people, so as to preserve tranquillity at home, and security and respectability abroad. He proceeded in his argument to observe, first, that the Roman Catholics had a common law right to eligibility; secondly, that the parliament had in justice no right to require them to abjure their religion; thirdly, that the Roman Catholic religion is no evidence of perfidy or treason; fourthly, that you reject the Roman Catholics for what they have abjured, and require of them to abjure that which does not belong to the cognizance of the civil magistrate, namely, the articles of their religion.

In

In continuing the disqualification of the Roman Catholics, we not only deprive them of the common law right of eligibility, but we affect the foundation of our own religion. When we say that the Roman Catholic is incapable of moral obligation or political allegiance, we affirm that Christianity does not extend to France, to Italy, to Spain, to a great part of Germany, and of course we deprive it of one great proof of its divinity. You answer this by charges against the Roman Catholics. I have stated those charges to be unfounded. You did not believe in them in the 17th of the king, when you declared the Roman Catholics to be good and loyal subjects; when you gave them the right of bearing arms; when you gave them in Ireland, the election franchise; when you gave them the army and navy; when you restored the popedom; when you helped to restore the house of Bourbon, and with them to give new strength to the Roman religion in France. You saw that a Roman Catholic church establishment was better than philosophy, and that Christianity with seven sacraments, was better than infidelity.

But it is said, if you emancipate Roman Catholics, their clergy will overturn the government; they will use their influence with the laity, who will forfeit their lives in the vain attempt to give domination to their church. This argument is fundamentally erroneous: it supposes that man struggles for the domination of his church establishment by nature. Man is not

attached to church establishment by nature; it is a creature of art, and a question in politics, not a work of nature. The argument goes farther, and says, that men would prefer the domination of their church establishment to all considerations, moral or political: that is to say, that all men are by nature fanatics. This argument is not only not according to human nature, but the reverse. It is supposed that Dr. Poynter, an excellent subject, will, upon the emancipation of his flock, say to the Duke of Norfolk, your grace is now possessed of the privileges of the constitution, and will now, of course, try to subvert the government; that is to say, lose your head by a fruitless attempt to get me made archbishop of Canterbury. Argument arrives at last to the monstrous palliation of two crimes, rebellion of the Roman Catholics for the ambition of their church, and pains and penalties imposed upon the Roman Catholics, for the exercise of their religion.

The argument I combat not only goes against the nature of man, but against the drift of the age. The question is not now, which church? but whether any. When you attack the religion of Europe, you attack the religion of England. There is a great similitude. You send for your clergy when you are sick, or dying: your sacrament is more than a commemoration, though less than a transubstantiation: there are shades of difference it is true; but if their hierarchy be so abominable, yours cannot be pure, and in your common downfall, you will learn your similitude.

The

nor, the Plantagenet, conquered on the continent, so have you; but then they confirmed the great charter thirty times: your other predecessor, the Tudor, saved Holland; but then she passed good laws without number: the Hanover, and under your direction, has carried Europe on his back; but then a great work still remains for the fulfilment of this glory, a fourth part of your subjects are now before you. Come, the destinies of the house of Hanover are waiting for you; come, be the emancipator of the Catholics, as you have been the deliverer of Europe, and look in the face the Plantagenet and the Tudor. I move, Sir, "That this House do resolve itself into a committee of the whole House, to consider the state of the laws by which the oaths or declarations are required to be taken, or made as qualifications for the enjoyment of offices, and the exercise of civil functions, so far as the same affect his majesty's Roman Catholic subjects, and whether it would be expedient in any, or what manner to alter or modify the same, and subject to what provisions and regulations."

Mr. Croker now rose to second the motion, in which he said that he owed some apology to the House for venturing to solicit its attention at so early a stage in the debate, but he trusted that an apology would be found in the nature of the considerations which he had to offer to its notice. The statute which the hon. gentleman found prescribing the oaths at present existing as

the principal one now in force at this point, is the first of Geo. which provides, that all persons holding any office, civil or military, or any place of emolument or trust, shall, within three months after they shall have entered upon any such place or office, subscribe in one of the courts at Westminster, or at the general quarter sessions of the peace the oaths in the statute set forth, namely, the oath of allegiance, the oath of supremacy, and the oath of abjuration. By a subsequent act of 9th George 2nd it is provided that, instead of the period of three months given by the statute of George 1st, the period of six months shall be allowed for qualification; and farther, that the declaration against transubstantiation enacted by 25th Charles II, shall also be made at the same time. I trust this time commences a new series of legislation on the subject, for, from the extension of the period allowed for qualification, the wisdom of parliament has been pleased annually to pass an Act of Indemnity, which recites the acts, imposing the oaths of qualification, and the declaration against transubstantiation, enacts, that any person who may, before the passing of such an act, have omitted to qualify himself, shall not be liable to any pains or penalties for such omission, provided he shall qualify before the 25th March next ensuing. If (said the hon. gentleman) with all the attention I have directed towards this subject, I should have failed in unravelling its details, it

resee

ing guide us, and if no will direct us to a clear true state of the law, confidently ask, is it not to have a committee of on? Again—What, on es, is the effect of the to make them pursue se with a blinder, and long fury? Jealousy ty may have produced d disaffection; but by ame operation of our deration and kindness ate mutual confidence, rocity of affection.

Mr Foster opposed the s to the Catholics on stinct grounds. The e actual state of the feeling in Great Bri- h, he said, was not , at least could not be ed in that House. His und was the indispo- e majority of the Pro-

Ireland to entertain dea, which, from un- uthority, he contended en very inconsiderable. se is the feelings of Catholics themselves. bill, of 1813, were in expressions to mark eration of it. They d it to be a law of d preferred to it their te of exclusion. The heir pulpits, and the a solemn synod, de- t they could not sub- without incurring the him; and that, with g of God, they would their lives for it. In

claim for political s advanced by the atholic authority, a

regular convention sitting like a parliament in Dublin. By their secretary they promulgated their declaration, of which their whole demand was limited to the four following objects: admission to the profession and practice of the law; a capacity to serve as county magistrates; a right to be summoned, and to serve on grand and petit juries; and the right of voting in counties only for Protestant members of parliament. This ultimatum of Catholic desire was conceded to them; but in two short years afterwards, they approached the Irish parliament with such fervency of entreaty for admission into both houses of parliament, that Lord Fitzwilliam, then lord lieutenant, declared in a speech delivered after his recall, that the Irish Catholics would go into a rebellion if they were refused.

The right hon. gentleman concluded with saying, the church of England has grown with the growth of our civil freedom, been overcome when it was overcome, and triumphed when it triumphed. Like our civil constitution, it is a happy mixture of whatever there is safe and beneficial in the opposite extremes of liberty and power, adopting the free spirit, though not the tenets, which marks the church of Geneva, but tempering it by retaining the principles of supremacy and episcopacy. And never be it forgotten, that in Ireland it superadds the additional claim to your present protection, that in all times past it has been your tenure of the island.

Lord Normanby next rose, who after strongly expressing his feelings

ings in favour of the Catholics, said, in conclusion, I shall rest their case principally upon this point: can any man sincerely and solemnly affirm, that he believes the safety of the state requires the continuance of the present system? Let that man, and that man only, vote against the present motion.

Other persons spoke for and against the present motion; at length, the House having been cleared, amidst numerous cries for the question, there appeared, Ayes, 241; Noes, 243: Majority against the Motion, 2.

In the House of Lords, on May 17th, the *Earl of Donoughmore* rose, in pursuance to notice given, to call their lordships' attention to the petitions, praying for relief to the Roman Catholics; and in furtherance of this object, he submitted to their lordships a resolution to the effect that this House resolve itself into a committee to consider the state of the laws which inflict civil disabilities on account of religious opinions, particularly in so far as those laws deprive his majesty's Roman Catholic subjects of the exercise of their civil rights; and in how far it may be expedient to alter or modify the same. The earl then entered into a consideration of the manner in which the Catholics were still fettered; and he said, if the House went into the committee, he should propose, in the first place, the repeal or modification of the declaration oath, a great part of which amounted to a denial of doctrines, held, by those who believed them, to be the great truths of the Christian religion; and in the second place,

to obtain the repeal of the oath of abjuration. The oath of supremacy, he thought, might remain. He concluded by moving the resolution stated in the beginning of his speech.

The *Bishop of Worcester* strongly declared against claims of the Catholics, and tested against bringing within one single step of putting their church in the place of establishment.

The *Bishop of Norwich* expressed the opposite opinions; and that it was the duty of the House to let England cease from day forward to be the only country in Europe where intolerance was established by law, and religious opinions excluded from civil office, and where men were obliged to surrender their consciences for the sake of their consciences.

The *Bishop of Peterborough* asserted that it was not on account of any difference of abstract opinions between petitioners and themselves, they thought their religious ground of exclusion; but because their opinions, abstract in themselves, are coupled with other opinions which are not so. Having considered this question in reference to the state, he next considered it in reference to the church, dwelt with some force upon dangers which might attend under a papal establishment. The *Lord Chancellor* thought that in the present question the real point at issue was, not whether it would satisfy the Catholic, but what would or ought to satisfy the Protestant. The security by oath could not be given by the Catholics, which could not

the king's supremacy in temporal, with the pope's supremacy in things ecclesiastical. To him it appeared, that of all the plans proposed in parliament since the commencement of these discussions, none of them were practicable; and, if we were to believe the long history of the country from 1660 to 1688, it would be how systematically the non-Catholics pursued the establishment of their own obedi-
ence and the destruction of the Catholic church. If the House of Commons adhered to the sentiments which were avowed and expressed by the Catholic church during the reign of Charles the 2nd, it would see the necessity of the disqualifications, and how greatly that necessity was imprinted on the minds of the nation. At the latter part of the two periods alluded to, it resolved that this country should have a Protestant king, a Protestant parliament, and a Protestant government. Such was the great principle parliament always had in view, and acting in due reverence that of all men derived to them from God, that they should not be persecuted for religious opi-

After a considerable range through various sentiments, his ship said, that he should be his duty to his sovereign, by law ought to be a Protestant, to the people, who were Protestants, to the two Houses of parliament, who by law ought to be Protestants, were he not led by to oppose such motions as were brought by the noble

earl, unless the Catholics were, in the first instance, to declare and prove that they had renounced those doctrines which rendered their admission to a full participation of the rights of their fellow subjects, dangerous to the tranquillity of the state.

Earl Grey, who had already made up his mind to the support of the noble earl who was the mover of the question, said, that in due deference to the noble and learned lord's authority, he felt it incumbent on him to contest some of the points which that lord had endeavoured to establish in support of his own opinions. What, he said, was the meaning of the expression, that the constitution established at the Revolution was essentially and fundamentally Protestant? He, himself, could find no other meaning than that it was not contained in the great charters of the constitution, the Bill of Rights, and the Act of Settlement. If, however, it could be shown that they were securities established, not at the Revolution, but at periods previous and subsequent to that event; if none of them were ingrafted in those acts which formed the charter of our constitution; if it could be proved that they arose from particular circumstances and the exigences of particular times, then the whole of the noble and learned lord's argument would fall to the ground.

The first of the acts to which he had referred was the Corporation Act, passed in the first year after the Restoration. The object of this act was, not the exclusion of the Catholics, who, at that period, had seats in parliament,

ment, but the exclusion of persons who had been supporters of Cromwell, who had contributed to overturn the constitution. The next was the Test Act, passed in the 25th of Charles 2nd. Undoubtedly that act was directed against the Catholics, but chiefly against the duke of York, the presumptive heir of the crown, and known to be of the Catholic religion. Then came the 30th of Charles 2nd, of the origin of which it is notorious, that it was a consequence of the plots of Oates and Bedloe. This act was passed, not as the noble and learned lord described as emanating from the deliberate wisdom and prospective caution of parliament, but for the purpose of excluding one class of the king's subjects from the rights and privileges, which until that period they had enjoyed. Such were the laws passed previous to the Revolution, all of them founded on particular circumstances which no longer existed. It was true that our ancestors, after the expulsion of James, retained those laws, and added others of a more severe tenor; but let their lordships look at the causes which induced them so to act. The king had taken refuge with, and received assistance from, the greatest Catholic sovereign in Europe. He was supported by a number of partizans in this country, of whom the largest proportion were Catholics. Our ancestors, wisely deviating as little as possible from the principle of hereditary succession, had established the succession in the line of the exiled monarch's daughters. Added to that, was the belief entertained by

the great men by whom the revolution was effected, of the ceitful character of the Catholic religion, and of the abhorrent nature of their tenets. In all the circumstances would be seen cause of laws so contrary to spirit which produced the Revolution. The necessity for the laws no longer existing, the policy which induced our ancestors pass them could no longer be urged for their continuance; the policy which induced them declare that the English were required that freedom should be extended to the Catholics, that no cause remained for holding it.

The earl then deviated in close attack upon the principles avowed by the Chancellor, which he did not forget a defect of the system of Locke, in which he found the friend of justice, benevolence, and freedom. He ended his speech, with notice of the present dangers which threatened our security; and he asked why is Ireland to be left a continued prey to that system of proscription from whence so much alarm and danger has been through the empire? Was it a thing less than madness to see such dangers to accumulate, not, when the opportunity presented itself, to take the necessary means to allay present discontent, and provide future security?

The *Earl of Liverpool*, who succeeded to the last speaker, found little to add to the attack made by the Chancellor and his opposers of the Catholic claim. He fully subscribed to that system which maintained itself in the Protestant religion, with a

GENERAL HISTORY. [63

monarchy, and a Protestantism.

remaining speakers, come the Marquis of Lansdowne, the Earl of Westmoreland, the Earl of Carnarvon, the Duke of Wellington, and the Duke of Darnley, made little add to the arguments used by speakers which had preceded.

The question was then called for, which gave,

ments 70

ies 36

—106

Contents 97

ies 50

—147

y against the Motion, 41. Day 25th, *Earl Grey* rose, it to their lordships a bill to exclude Roman Catholics from the declaratory oaths

Transubstantiation and Invocation of Saints. He said, that no obstacle would be used to the passing of this which did not in the least interfere with any securities which the noble lords thought ought to be required of Roman Catholics, but merely affected certain religious opinions, and had no reference whatever to any question of civil or political emancipation. He then presented a bill negating so much of the Act of the 25th and 30th of the 2nd as prescribes to all officers of both Houses of parliament, a Declaration against the doctrine of Transubstantiation and Invocation of Saints.

Bill was read a first time. On the 10th of June, *Earl Grey* rose, that the bill the second of which he rose to move,

would, he hoped, have met with the general concurrence of their lordships. That hope was founded on the reasonableness, as it appeared to him, of the bill itself, and the admission that doctrines of faith were not a ground for the exclusion of Roman Catholics from the enjoyment of the advantages of the British constitution. But he was told, from an authority which he could not doubt, that his bill was to be met with a most determined opposition. His lordship entered with much ability into a discussion respecting the intended attack; but it will probably be more to the purpose, to consider the resolutions of a body of men against the bill in question, on which he was told that a petition was to be founded.

The first resolution stated, "That the British constitution and government are essentially and fundamentally Protestant, and the Protestant religion forms the great security of the public happiness and welfare of this country, as established and secured by a solemn national compact at the period of the Revolution, and by the acts of the legislature which happily settled the crown of these realms upon his majesty's august family." The second resolution mentioned, "That being sensible of the religious and political blessings enjoyed under the sway of the royal house of Brunswick, and convinced that upon the maintenance of that compact, and of those acts of settlement; the safety of his majesty's person and government; the continuance of the monarchy of England; the preservation

tion of the Protestant religion in all its integrity; the maintenance of the church of England, as by law established; the security of the ancient and undoubted rights and liberties; and the future peace and tranquillity of this kingdom; do, under God, entirely depend; this meeting is filled with alarm when the least attempt is made to abrogate any of the laws, or subvert any of the securities, by which those inestimable privileges are held." 3rd, They profess, "that by the wise policy of our ancestors, Roman Catholics were excluded from bearing certain offices and from the legislature and councils of the nation; and by stat. 39, Charles 2nd, it was enacted, that no peer of the realm, or member of the House of Commons should vote or sit in parliament, until he take the oaths of allegiance and supremacy, and make, subscribe, and audibly repeat the declaration against transubstantiation and popery." The 4th. resolution stated, "that the meeting has been informed, that a bill has been brought into parliament, and is now in progress, in which it is proposed, that the declaration against transubstantiation required by the statute 25, Charles 2nd, and the declaration against transubstantiation and popery, required by the statute 30, Charles 2nd, shall no longer be required to be taken as a qualification for holding any office or place of trust from his majesty, or under his authority, or for sitting or voting in either House of parliament; provided, that nothing therein should dispense any person from taking the oaths of allegiance or supremacy." The fifth resolution was as follows: "That

although the said declarations against transubstantiation and popery contain only a renunciation of certain opinions entertained by Roman Catholics, yet they form, in the opinion of this meeting, the principal test by which Roman Catholics are to be ascertained, and without which, the oaths of allegiance and supremacy are not sufficient to exclude Roman Catholics from parliament, and from situations of political power." The sixth resolution represented, "that the Catholics regarded certain oaths as null and void, and affirmed that the Pope had himself, a few years ago, published a proclamation to his subjects, wherein he authorized them to take a distinction between active and passive oaths." In the seventh it was asserted, "that the Romish church granted no toleration to those who did not participate in its communion; and that therefore there could be no peace or security for those who professed a different creed."

It may be supposed, that several of the allegations brought forwards in this declaration were severely commented on by the mover of the bill; and the accession of Lord Grenville to the Catholic side was an important addition, which seemed to make a powerful impression on the House. When, however, a division of the House was declared, it appeared that the numbers were kept steady to their party. It stood thus:

Contents	49
Proxies	33
	—82
Not Contents	72
Proxies	69
	—141
Majority against the Bill, 59.	
CHAP.	

CHAPTER VI.

*etary Proceedings.—Second Report on Resumption of Cash-
its.—Motion for a Committee on the Royal Burghs of Scot-
Army Estimates.—Marquis Camden's Tellership Bill.—
Enlistment Bill.—Motion on the State of the Nation.—
for considering of Parliamentary Reform.—Reversal of
old Attainder.—Motion for an Address respecting the Slave
—Bill for Encouragement of Emigration to the Cape of Good
—Budget.—Speaker's Speech.—Prince Regent's Speech.—
ation.*

*VD Report of the Com-
: of Secrecy on the Re-
of Cash Payments.—On
Mr. Peel presented to the
Commons an elaborate
vided by the committee
y into two parts;—the
their inquiries into the
he Bank of England,—
opinion with respect to
iency of the resumption
nts in specie, at the
which by law they are
med. On the first head,
ed themselves to have
ascertaining that the
ch the Bank were liable
led on to pay in ful-
f their engagements,
on the 30th of January
1,894,380*l.*, and that the
te then in possession of
nt securities and other
to the amount of
l., leaving a surplus in
he Bank of 5,202,320*l.*;
of the permanent debt
government to the
4,686,800*l.*, re-payable
piration of the charter.
VI.*

The committee then informed themselves of the amount of cash and bullion in the coffers of the Bank at various periods since 1797, and of the quantity of gold coin issued by it between the 1st of January 1817, at which period a partial resumption of cash payments had been resorted to, and the 1st of January 1819; which was found to amount to about 6,756,000*l.* They next call the attention of the public to the amount of the debt due by it to the Bank of England, which, on the 29th of April last, reached the sum of 19,438,900*l.* After a variety of details and references to evidence connected with this part of the subject, the committee add;—That the amount of their advances to the public is urged by the Bank as one of the main impediments to their early resumption of cash payments; and that, in order to make preparations for their resumption, the Bank require a re-payment to the extent of ten millions. For such re-payment, the committee ear-
[F] nestly

nestly recommend it to the House to make immediate provision, and also to establish some permanent provisions limiting and defining the authority of the Bank to make advances to the government, and to purchase government securities; and bringing under the constant inspection of parliament, the extent to which that authority may be in future exercised.

On the second head of inquiry, the expediency of returning to cash payments at the period fixed by law,—the committee proceed to state arguments and detail evidence from which it appears first, that the Bank have already very considerably reduced their issues of notes since the beginning of 1818; 2ndly, that in order to secure themselves against the effects of a return to cash payments in July next, it would be necessary for them to make a further and very sudden reduction of that portion of their currency which they have immediately within their control; 3rdly, that such reduction in the present state of the trade of the country, would be attended with very serious inconvenience; in consequence of which, the committee recommend the further postponement of the resumption of payments in specie.

A third branch of the inquiries of the committee had for its object to ascertain the supply of gold which might be required to meet the demands upon the Bank on the resumption of payments in specie, and the practicability of commanding such supply. The evidence on this head embraces a variety of facts relative to the in-

vestment of British capital in foreign funds,—the rates of exchange,—and the effects likely to be produced on such rates by the proposed resumption. On the whole, it is inferred that Britain has the power of commanding a metallic currency, and that the return to it ought to be gradual; and the committee conclude, by recommending the attention of parliament to the following outlines of a plan for that purpose. “That, after the 1st of May 1821, the Bank shall be liable to deliver a quantity of gold, not less than 60 oz. of standard fineness, to be assayed and stamped at the royal mint, at the established mint price of *3*l*. 17*s*. 10½*d*.* per oz. in exchange for such an amount of notes presented to them as shall represent, at that rate, the value of the gold demanded. That this liability of the Bank to deliver gold in exchange for notes, shall continue for not more than two, nor more than three years, from the 1st of May 1821; and that, at the end of that period, cash payments shall be resumed.—That on a day to be fixed by parliament, not later than the 1st of February 1820, the Bank shall be required to deliver gold of standard fineness, assayed and stamped as before-mentioned, in exchange for their notes, in amount of not less than 60 oz. of gold being demanded) at the current market price of standard gold bars on an average of the three months.”

These suggestions of the committee of secrecy on being referred to a committee of

whole House, were adopted with some modification as the foundation of two bills, which, after considerable discussion in the Commons, passed both Houses.

Motion for referring to a Committee the Petitions from the Royal Burghs of Scotland.—May 6. Lord Archibald Hamilton rose and said, that after the petitions which had been presented to the House, praying a reform in the constitution and government of the Royal Burghs of Scotland, he trusted that no apology was necessary for occupying the time of the House with this object. But when he had last month brought forward a subject intimately connected with this, the abuses of the burgh of Aberdeen, though he had stated as distinctly as he could, both what his motion was, and what it was not, he had not however escaped the unfair and unfounded insinuations of the gentlemen opposite. They charged him with using the subject merely as a cloak for parliamentary reform; a charge totally unfounded, and which he again disclaimed both for himself and for the petitioners, whose sole object it was to obtain a reform in the internal management of the burghs, radical and comprehensive indeed, but not more than commensurate with the occasion. The grievances complained of were not new, neither were they partial nor transient. Twenty-five years ago, similar complaints had been made by the burgesses of Scotland; and a report of a committee employed to inquire into the subject had been laid on the table of the House. Between a reform in

parliament and the present object, there was no necessary or direct connection; the remote and indirect connection between them, he would frankly explain;—it was simply this: At present, the magistrates returned the member to parliament without any interference or participation of the burgesses;—the burgesses wished to have the same power as to the election of the magistrates, which the magistrates now had in the election of the member. And if this were granted, the magistrates would still retain the same power as now; the only difference would be, that being themselves appointed and maintained by public opinion, instead of being self-elected and self-maintained in defiance of it, they would probably elect such members as were approved by the burgh at large.

The existing burgh system in Scotland, he proceeded to say, was so oppressive to the inhabitants, so abhorrent from every principle of justice, and so very different from the government of any other part of the united empire,—he might say of the civilized world,—that he found it difficult to conceive how the House could refuse a committee of inquiry. He appealed to all who heard him, if in the cases brought under the notice of the House, particularly in that comprehended in the petition from Aberdeen, a scene of fraud and oppression was not disclosed which called loudly for investigation. What was the existing system? Self-created power, acting under self-created immunity, sanctioned by law. The magistrates first appointed and

continued themselves in office, and then had this unbounded control over the funds of the burghs; they were empowered to contract debts to any amount they pleased, and though the burgesses were not entitled to inquire into their accounts, or to check their expenditure, they were responsible to the full extent for the debts thus contracted. This had been shown in the case of Aberdeen: there the burgesses had no means even of detecting the frauds committed by the magistrates; and if they had the means of detection, they were unable by the present practice, fortified by decisions at law, to obtain any redress. The petitioners also said, that the system was the same in the other burghs. It was from parliament only they could seek relief. Whatever might be the unjust iniquitous conduct of the magistrates, still there was no remedy, no appeal on the part of the burgesses to any court of law, so long as the town council remained unanimous. Another abuse which demanded revision was, that the acts of parliament in favour of the burgesses, such as those which required the residence of magistrates and prohibited the sale of seats in the town council, were allowed to fall into desuetude, while those which supported the unjust and oppressive power of the magistrates continued in full force. Civil or political rights the burgesses of Scotland had certainly none,—and if they had no municipal freedom or protection, what right remained to them, unless indeed that of suffering patiently this accumulation

of injuries and of grievance. The noble lord proceeded to detail other hardships to which burgesses were exposed, of which the illegal exaction of rates was one. He refuted the objection advanced on a former occasion by the lord advocate of Scotland, that all which was wanted, was an act regulating the burgh accounts, and that the act of 1793 was an insuperable bar to any more effective interference on the part of the House, and he demonstrated the bill which that noble lord had introduced last year had suddenly and mysteriously withdrawn, and had again introduced this year, as involving aggravation rather than a mitigation of the existing evil. He concluded by moving for a committee, to consider of the petitions from the Scotch burghs and to report thereon.

The motion was opposed by Mr. W. Dundas, Mr. Boswell, Mr. Binning, and Mr. Forbes, principally on the ground of its connection with parliamentary reform; it was supported by Mr. Primrose, Mr. P. Grant, and Mr. Wynn; the latter of whom concluded by remarking, that he had not heard any contradiction to the statements of the petitions; he believed he might say with confidence, that at no time had such statements ever been introduced without securing parliamentary interference.

Mr. Canning thought it proper to assign his reasons for voting against the motion of the noble lord. He denied in general the position advanced by Mr. Wynn, that the House might, notwithstanding the act of union, v

rese

ved the rights and privileges of the Scotch burghs, legislature as it might do respecting English ones; though he did not think that where a case of malversation *ad hoc* was made out, might be done. The bill of Lord advocate remained for discussion; but to the promotion he never could accede.

because he was averse to attempt to meddle with the established system of Scotch rentation; entertaining as he the utmost apprehensions of consequences of any measure going to what was called parliamentary reform, to which he red his decided opposition, either it exhibited itself in the most gross, disgusting, tyrannical and insulting shape, in which it had appeared in other times, or in the more plausible and less offensive, but not less odious character, in which it occasionally laid before that House."

the division, the numbers were Ayes, 149; Noes, 144: Majority for the motion 5. A result was received with loud applause by the opposition.

Army Estimates.—May 7. The House having gone into a Committee of Supply, Lord Palmerston said, that in bringing up army estimates, he should leave the House with few remarks, as little could be added to minute details of the finance committee on this head. Upon a general view of the numbers of army for the present year, as compared with the number of votes voted last year, taking, in the first instance, the permanent

establishments of the two years, and leaving out the troops in India and in France, there would be found a diminution of 9,800 men. Upon a general view of the estimates of last year and the present year, there appeared to be a diminution in the present year of 26,042 men. This was the amount of the reduction of force which had actually been effected since the estimate of last year. After entering into a variety of details of expenditure, through which it would be superfluous to follow him, the noble lord concluded with moving, that a sum not exceeding 258,776*l.* 11*s.* 2*d.* should be granted to his majesty to complete the sum required for defraying the charge of his land forces from Dec. 25, 1818, to Dec. 24, 1819.

Colonel Davies conceived, that a saving of 120,000*l.* might be effected on the estimates, by means which he should explain hereafter. He could not help expressing his astonishment at the increase of the staff, and particularly when he compared that of Ireland with this country. In England, Scotland, Guernsey, and Jersey, there were seven general officers, exclusive of the commanders in chief and the heads of departments, to 25,000 men. In Ireland, to a force of only between 17 and 18,000 men, there were no less than eleven general officers. He likewise questioned the utility of the military college, which appeared to him only a pretence for keeping up an enormous establishment.

Mr. Hume was not one of those who thought a standing army should be entirely disbanded in time

time of peace; but he considered it as important that it should be as small as possible, and regulated only by the exigency of the times, not by comparison with times of war and of extraordinary exertions. He must say, that in the present state of the country, 3,503,337*l.* appeared to be a large sum for the efficient troops of a peace establishment. The noble lord stated a reduction in the amount of several items in the estimate, as compared with last year; but there was also an increase in other items, which rendered the whole total expense of this year greater than that of the last by 88,521*l.* He then pointed out the Military College and the Military Asylum as fit objects of considerable reduction. After some remarks by Mr. Bennet, and a reply by lord Palmerston, the different items were put and agreed to.

On May 10, when Mr. Goulburn brought up the report of the committee of supply on the army estimates, these became again a subject of discussion.

Sir H. Parnell animadverted severely on the enormous military establishment which government seemed determined to maintain, at a period when a deficit of 14,000,000*l.* appeared in the revenue, which was to be supplied from the sinking fund; and he pointed out the expense of the Irish staff as a fit object of inquiry.

Mr. Hume could not permit the grant for the support of the staff at home and abroad to pass without calling the attention of the House to the fact, that the new colonies of Ceylon, the Mauritius,

the Cape, Malta, and the Ionian Islands, named in the grant, possessed a revenue exceeding 1,200,000*l.* entirely at the disposal of ministers, and of which no account had been rendered to parliament. This was a subject which parliament would be guilty of a culpable neglect in omitting to investigate; and he founded upon it a motion for deducting from the proposed grant a sum of 21,104*l.* the amount of the staff estimate for the above colonies.

After some explanation from Mr. Goulburn, the original resolution, and afterwards all the other resolutions, were put and carried.

Marquis Camden's Tellership Bill.—May 11. The Chancellor of the Exchequer moved for leave to bring in a bill for enabling the public to accept of marquis Camden's magnificent sacrifice of the surplus profits of his unreduced tellership of the exchequer. From the donation of the noble marquis in this and other forms, the country had already derived 45,000*l.* He was now desirous to be farther enabled to give up, during life, the surplus income of his office, amounting, in time of peace, to about 9,000*l.* a year. Doubts had arisen whether this donation might not be considered as an illegal benevolence, unless sanctioned by parliament, on which account this bill was brought in; a former act, to authorize contributions by his majesty's ministers and other public officers, having expired.

Lord Castlereagh, in seconding the motion, said, that it was not claiming too much merit for such

an act, voluntarily performed, to say, that a more splendid sacrifice of private right to the public service was never heard of in any state. As a patent office, it might be fairly considered as a legal estate, and had always been so considered by that House. It should be remembered also, that it was an office which had not been conferred as an act of grace and favour on the noble marquis himself, but which he had inherited from his father, to whom it had been granted, by way of compensation for giving up the high and dignified appointment of chief justice of the Common Pleas, in order to enter into the political service of the country.

Mr. Tierney professed the most sincere satisfaction in the occasion afforded for the present discussion. He had always regretted, that the conduct of marquis Camden in this instance should be passed over with so little public observation. It was a magnificent donation to the country, made under circumstances which greatly enhanced its generosity. Were he now to mention the nobleman who, in his opinion, stood the highest in this country, he should certainly name lord Camden; whose attachment to his country must be truly strong, to induce him to abandon what had been earned for him by his illustrious father. He trusted that a motion would be made for placing some memorial on the Journals of the House, of so singular an example of disinterestedness.

After a few words of commendation of the conduct of the noble marquis from Mr. Banks, Mr.

Wilberforce, and others, leave was given to bring in the bill.

Foreign Enlistment Bill.—May 13. The *Attorney General* rose to move for leave to bring in a bill, to prevent enlistments and equipment of vessels for foreign service. Every state, he observed, was at liberty to set restrictions on its subjects to prevent them from entering into the service of other states for the purpose of warfare. A statute of Geo. 2nd, already made it felony to enter into the service of any foreign state; but it was important to the country, that if neutrality was to be observed, it should be observed between states which claimed to themselves the right to act as such, as well as between acknowledged states. The words of the statute, however, were such, that it was doubtful whether they would comprehend the case of such as entered into the service of unacknowledged states; and it was in part the object of his motion to amend this inequality of the statute by introducing, after the words, "King, prince, state, potentate," the words, "colony or district who do assume the powers of a government." The law, as it stood on two statutes, the 9th and the 29th of George 2nd, annexed the heavy penalty of felony to the offence of entering the service of a foreign state; but though the law, both formerly and now, was equally against entering that of acknowledged and unacknowledged states, yet it could not punish those who entered the service of the latter. Thus, if any mother country

country were at war with her colonies, the law could not punish those who assisted the latter; but if they enlisted in the service of the mother country, which was a legitimate power, they were guilty of felony. It was important to the country that the law should decide, that no man should have a right to enlist in foreign service. That, in fact, was the meaning of the acts of George 2nd, and those acts would have been so expressed, if the circumstances which had since occurred had been foreseen. The second provision of this bill was rendered necessary by the consideration, that assistance might be rendered to foreign states, through the means of the subjects of this country, not only by their enlisting in warfare, but by their fitting out ships for the purposes of war. In this second provision of the bill, two objects were intended to be embraced—to prevent the fitting out of armed vessels, and also to prevent the fitting out or supplying other ships with warlike stores in any of his majesty's ports. He proposed that the penalty on the first offence should be for a misdemeanor; on the second, for a felony.

Sir James Mackintosh said, that if he could consider the present measure merely as the introduction of a reform into our criminal law, he should have contented himself with giving it his support. The repeal of the two statutes of George II he highly approved of: they were founded merely on temporary circumstances, and enacted penalties revolting to humanity, and which therefore now could never be

inflicted: they had been described by his hon. and friend as applying to a case and circumstances, but would show him that it merely intended to prevent the formation of Jacobite armies in France and Spain. The attorney general had endeavored to disguise the subject, and to put out of view the immediate objects which the proposition was designed to reach. It was impossible to misrepresent the character, or to avoid the evident tendency. The bill, however it might be worded, ever its object was clear. It might be entitled, "a bill to prevent British subjects from giving their assistance to the American cause, or enlisting in the South American wars." On the general subject of the law, as it was now proposed to be amended, he would make many observations. It was possible to deny that the sovereign power of every state had a right to interfere to prevent its subjects from engaging in the wars of other states, by which the peace might be endangered and its interests affected. The House called upon the attorney general to state a principle which no one could deny, unless it was meant to apply to temporary objects? Was the neutrality intended by the law? The principles of neutrality only required us to maintain the laws in being, but they did not command us to change them. At least of all, to alter our laws to the evident advantage of the parties. His hon. and friend had said that the objects of his bill placed be-

so far as they changed
ing law, they were en-
vour of one party, and
parture from neutrality.
to be recollected, that
no assisted insurgent
never respectable, were
h worse situation than
assisted recognised go-
s, as they could not be
as prisoners of war,
t, as engaging in what
d rebellion, be treated

This new law would
r the relative risks, and
s a law of favour to one
le would not now enter
to the proposed enact-
other opportunities
er: In the meantime he
refrain from express-
sapprobation of a mea-
h he could consider in
light than as an enact-
express the rising liberty
uth Americans, and to
pain to reimpose that
yrranny which they were
bear, which they had
ken off, and from which
d in God they would
enabled to free them-
hatever attempts were
the ministers of this or
r country, to counte-
assist their oppressors.

Castlereagh protested
he introduction of the
topics with which the
learned gentleman had
peech; a speech which,
rofessed to advocate the
of neutrality, was as
the spirit of neutrality
ich he had ever heard
ouse. He would appeal
louse and the country
hey would depart from

that regard which they owed to
an acknowledged and friendly
state, by allowing our subjects
openly to take part with its ene-
mies. This law was necessary
to prevent us from giving cause
of war to Spain against us; and
he was sure that the House was
too just and too generous to
think that because Spain was
weak, and because her fortunes
had declined, we ought to per-
mit her to be oppressed, and to
do that which we should not have
done had she been in other cir-
cumstances. He would ask the
hon. and learned gentleman him-
self whether, if common justice
was not sufficient, it was not our
duty to carry into effect the in-
tentions we professed. Was not
the proclamation issued about
18 months ago, approved, both
in this country and America, as
perfectly just in the principles of
neutrality which it professed?
And was it not a breach of that
proclamation, when not only in-
dividuals, not only officers in small
numbers, went out to join the in-
surgent corps, but when regi-
ments regularly formed left this
country, when ships of war were
prepared in our ports, and trans-
ports were chartered to carry
out provisions and ammunition?
It was to prevent this that the
present bill was brought in, and
he thought he owed some apology
to the House and the country for
not bringing it in sooner. Till
lately, in fact, there was some hope
of a mediation between Spain and
her colonies, and so long as that
hope lasted, he wished to say
nothing of the general policy of
the existing laws; but all such
expectations were now at an end,
and

and it became us to adopt a general system by which our conduct towards the parties should be guided whilst the war continued. He should be ready to give explanation at the different stages of the bill or to support its different clauses, but he must again protest against such conduct as the hon. and learned gentleman's, who found out partiality where none was intended, and declared that we were unjust to one of the parties, because we wished to place both on the same footing.

Mr. George Lamb contended that if this measure was now justifiable we were remiss in not enacting it sooner. It appeared to him however to proceed from no regard to neutrality, from no returning sense of justice, but to be intended to prevent the people of this country from going to the assistance of those who were struggling for their liberties, against what he would not trust himself with describing. It would have been much better to have declared this specific object than to have concealed it under a general enactment, through which it was easily seen.

Mr. Wynn supported the bill, but objected to that clause of it which went to aggravate a second offence into a capital felony. After a few remarks from other members, leave was given to bring in the bill.

On June 3rd, on a motion for the second reading of the bill, *Sir Robert Wilson* rose to oppose it. He observed that the attorney general, in moving for leave to bring in the bill, had desired to be regarded as alone re-

sponsible for the measure, but the noble lord opposite, in the debate which had attended even its introduction, did not consider it in that abstract and isolated view, but as a measure connected with our foreign policy. This avowal was at least candid, as it brought the question before the House on its proper merits. The clause which made a repetition of the offence a felony, and punishable with seven years transportation, had since been withdrawn, in deference, no doubt, to the expression of public opinion, but the original design of regarding it as a felony, was demonstrative of the *animus* of the projectors. Before he proceeded to argue the question on the ground of general policy, he should show that it was not entitled to any respect from analogy with the other enactments referred to. The hon. gentleman here entered at some length into an historical survey of the circumstances under which preceding enactments against foreign enlistment had been passed. He then added, that from general history it was clear, that such a principle as the present bill disclosed was never acted upon, even where Great Britain herself was one of the belligerents, and to this effect he cited many striking examples. It was surely he said enough, without enacting any penalties of our own, to refer those who should be disposed to enlist in the South American service to the ordinance made by Ferdinand a few months ago, devoting all who should engage in it to the most ignominious death. He must describe this bill as a bill not called for, a bill which

policy rejected and hounded, a bill in favour of Ferdinand and inauspicious liberty. He moved as amendment, that it be read six months.

enman, in arguing against dwelt particularly on the which it would inflict on our ce, particularly by means es which authorized the a of ships on board which on or persons should be d, suspected of an intention entering into a foreign

Vynn supported the bill considerable length; he was l by *Mr. F. Douglas*, who l, that the hon. gentleman had spoken last had at the principle of the bill was recognised in ty of every other state, should be singular in re accede to it. Such a ty was a thing not at all ; he should be more at a conformity with the foreign states. A mif this country, when to do any thing incon- with the laws to please despots, should answer,

Marryat contended, that ly to altering our laws purpose of giving Spain itage over her colonies, bound seriously to weigh ce of the cause in which ged. Of the unparalleled n and iniquity of the government in South , he said it was in his o speak from personal ge and observation, and ed into a detailed account

of the transactions between Spain and her colonies since 1808, and of the comparative merits and demerits towards Great Britain of Ferdinand and of the Independents. He looked with confidence to the ultimate success of the Independents in their great struggle, and pointed out the importance to our commercial interests of conciliating them without delay. Spain, he said, has no right to injure the peace and prosperity of the whole commercial world, by continuing her fruitless attempt to subjugate South America. All the maritime states of Europe, and Great Britain in particular, suffer from it in various ways. Out of it a race of freebooters and pirates have sprung, who plunder all legitimate commerce without distinction, and who can never be subdued till peace and good order are restored. Our laws, as they now stand, give no advantages to the Independents that are not counterbalanced by other advantages given to Spain. If British officers and troops embark in the cause of the Independents, arms and ammunition, the supply of which to them is prohibited, are not only permitted to Spain, but British ships of war convoy ships so laden to the ports of their destination. At this very moment the harbour of Cadiz is full of British vessels hired as transports to carry out the troops destined to act against them; whilst all assistance to their cause is prohibited by the proclamations of the governors of our free ports in the West Indies. Much, he observed, had been said about the treaty with Spain of 1814, but

but this bound us to nothing more than to prevent the supply of arms, ammunition, and warlike stores to the revolted provinces. The hon. member ended with a strong protest against the government of Ferdinand VII.

After some words of reply from Mr. C. Robinson, *Mr. Macdonald* recapitulated and enforced the arguments of his hon. friends in opposition to the bill. The present measure, he said, however supported by the learning and logic of Doctors' Commons, whatever abstract reasoning might be employed in its behalf, did mainly and effectually go to the destruction of the independent patriots of South America. He entertained considerable doubt whether the House would have the heart to pass such a bill as was now attempted to be thrust upon the nation. The nation revolted at it; the nation had been content to act on the system of non-interference, but further than this it would not go in opposition to its best feelings. The feelings of the English people were not to be trifled with. The government, solid as its institutions were, mainly rested, after all, on public opinion. Popular prejudice it might dissipate; popular error it might encounter; but the public opinion, founded on the good and generous feelings of the universal British nation, would be found to be stronger than even power itself.

Lord Castlereagh defended the provisions of the bill, and replied to some of the accusations brought against the king of Spain. On the question of the second

reading of the bill, the House divided; Ayes, 155; Noes,

On June 10th, a motion going into a committee on a foreign enlistment bill, produced again an animated debate principally conducted by the members who had taken the former ones. Of these *James Mackintosh* distinguished himself by a speech of uncommon force, learning, and eloquence which was heard with particular attention, and greeted by continued cheers from both sides of the House. It was replied to by *Mr. Canning* in a splendid oratory, but no advantage of either speech can be conveyed by us in an abridgement. Several amendments were proposed and carried; at length, on the 21st, after elaborate speeches from *Sir W. Scott* and *Denham*, and one of distinguished ability and eloquence from *Robert Grant* in favour of the act, and speeches of great various merit from *Mr. Sturges*, *Lord Nugent*, and *Mr. G. Vernon* against it, the bill was finally carried by a majority of 190 voices to 129.

On June 28th, the bill was introduced in the House of Commons by *Earl Bathurst* in a speech of considerable length.

Lord Holland then rose and began by remarking on the variety of motives which had been adduced before the House for passing the bill, and the variety of grounds on which the policy was defended. If ordinary transactions between man and man in ordinary life we found a person who

and contradictory motives for a particular action, his conduct would lead to the suspicion that those alleged motives were mere pretences, and that the real ones were concealed. If, on to the variety and inconsistency of his statements, we add that he accounted for his conduct on grounds of so romantic a nature as indicated the neglect of all our usual feelings, and the neglect of our most cherished interests, it would not be surprising to imagine, that he aimed at concealment, and that his real motive, if discovered, was of too odious a character to be openly avowed and admitted. Now, when he recollected the course pursued respecting this measure, he could not but feel that the above deductions were applicable to it. When he reflected what happened more than thirty years in another place, and that it was introduced on the ground of correcting an anomaly in the criminal law, by persons who exposed themselves to any reproach or improvement of the law, he could not but feel that the alleged motive. That was afterwards deserted, and found too narrow for the structure to be raised upon it. Then we were told that this measure was necessary to conform to the principles of neutrality. Subsequently it had been admitted, that this foundation was too confined, and now the measure was called upon to be considered before it, because the country was pledged to the modification introduced into our practice by the provisions of a particular treaty,

which was completely at variance with the argument in its favour drawn from the principles of neutrality. It had been said that the interests of the country were on the other side of the question, and the noble earl himself seemed to maintain the same opinion in his reasonings from analogy; but if it was against the commercial interests of England that the bill should pass, it was still more decidedly against the feelings of Englishmen. After replying to various arguments brought in favour of the bill, the noble lord went on to state the dangers which would result from this new doctrine of neutrality. Should the present law be found insufficient for its purpose, the king of Spain might come forward, backed by the Amphictyonic council of Europe, the assembled congress, and demand stronger measures. Ministers might then find that a police must be established, the executive armed with new and extraordinary powers, and emigration prohibited. The freedom of our press might next be attacked at the instigation of Ferdinand VII. He was the more opposed to this act when he considered it as one of a multitude of acts which seemed to be in contemplation; and that it went *pari jure* with the Alien act. He would not proceed one step further in such a policy.

The *Earl of Westmorland* contended for the necessity of the present bill as a fulfilment of our treaty with Spain, and affirmed that we had nothing to do with the consideration of liberty or slavery, superstition or independence,

ence, on the part of either of the belligerents.

After an animated debate, in which the marquises of Lansdowne and Bute, and the earl of Carnarvon argued against the bill, and the earl of Harrowby in its favour, an amendment proposed by Lord Holland for dividing the bill into two parts, and passing only so much of it as went to repeal the statutes of George II, was put and lost, the numbers being, Contents, 27; Proxies, 20—47. Not-contents, 49; Proxies, 51—100. The bill then went through the committee.

State of the Nation.—May 18. Mr. Tierney rose, in pursuance of the notice which he had given, to move for the appointment of a committee on the state of the nation. After expressing, in a style of indignant sarcasm, the contempt into which he affirmed the present ministry to have fallen in the eyes of that House and of the nation at large, the right hon. gentleman proceeded to take a comprehensive view of the state of the country, and of the circumstances which ought to induce parliament to grant a committee of inquiry, under the respective heads of political relations with foreign powers, commercial arrangements with them, and finance. On all these points, he contended, that the conduct of ministers had been so unwise, so feeble, and so vacillatory, that their incompetence was now fully apparent, and nothing but their general removal would be satisfactory to the country at large.

Lord Castlereagh felt the difficulty of his situation in to reply to the very able and luminous speech which the hon. gentleman had just heard. With the hon. gentleman's view of the financial difficulties he was much disposed to differ; he appealed to himself whether the finance minister had greater ability under circumstances so difficult than the present chancellor of the exchequer. He contended that a general inquiry on finance ought not to be entered upon pending the important investigations respecting the bank. He could not be quietly by and listen to the taunts of the right hon. gentleman on that coalition of nations which had taken place. The principles which now guided those sovereigns in strict alliance were not those of ambitious aggression; they were not for the violation of public law, nor to oppress and curtail the liberties of nations, but to preserve to their subjects the fruits of their arduous struggles for the independence of their well as other powers.

Our limits do not permit us to follow the train of argument pursued by the different members of both sides of the House in this wide field of discussion; neither is it essential to the motion was universally stood as little more than a contest of strength between ministry and opposition, now first opened under the leading of Mr. Tierney. The division gave, Ayes 357, Noes, 357. Majority against the motion, 179.

Reform of Parliament.—July 1. The *Marquis of Tavistock* presented a petition from Liverpool praying for parliamentary reform, signed by upwards of 1,800 respectable householders, who complained that they were not represented in parliament. He did not know the nature of the motion which it was the intention of an hon. baronet to propose that evening, but he had had too many opportunities lately of witnessing and regretting the dissensions among those who professed to advocate the cause of parliamentary reform. Some were moderate reformers, others radical ones, who wished nothing less than such reform as would be totally destructive of the constitution. The reform which appeared to him to be the best, was one which would be moderate in the changes it would introduce in our existing institutions, and radical in the correction of the abuses which had gradually grown up under them. He heartily disapproved of all those wild and impracticable theories which had lately been broached. He did not see that any specific plan of reform could be proposed at this moment with any chance of success. Such had been the conduct of those who called themselves the people of England, taking up one plan one day and laying it down the next when it suited them, running down every plan that they thought to be practicable, and vilifying all those who in their projects of reform were one step short of themselves, that the greatest distrust and disunion had been created among the friends of reform; and therefore

it was his opinion that there were greater difficulties in the way of this question at the present moment than had ever before existed. Ordered to lie on the table.

Sir Francis Burdett then rose in pursuance of the notice which he had given, to bring the subject of the representation before the House. He knew not how to answer to the vague invective against wild and visionary plans of reform, or the vague charges of promoting disunion brought by the noble marquis. He could only say, that whatever might be the differences of opinion, to whatever extent, small or great, gentlemen might have been willing to push a measure of this nature, it had always had his concurrence. He had never entertained the apprehensions by which many had been disturbed in the principle's being pushed to its utmost extent. He could fear nothing from pursuing to its utmost extent the ancient and recognised common law maxim, the corner stone of the edifice of our liberties; "That the people of England have a property in their own goods, which are not to be taken from them without their own consent;" in other words, that they are not constitutionally liable to be taxed without their own consent, expressed by a full, free, and fair representation in parliament. On this principle he stood as upon a rock, from which he thought it impossible to be moved. He had abstained from bringing forward this motion earlier in the session, lest he should be accused of thwarting, or interfering in any manner

manner with the attempts of the gentlemen composing what was called the opposition, to remedy those evils of which they so loudly complained; and also because he wished both them and the public to be convinced by experience how vain and futile were any efforts and all expectations of any important redress of grievances from a new parliament constituted like the old. Much had been said about the infusion of independence into the new parliament; the elections were said to have proved, that the present system of ministers could not be continued,—that the ministers must relax in their career of corruption, and adopt a plan of retrenchment and economy, or resign to those who would. Hopes were excited both within and out of the House, which nothing but the conduct of this parliament and the evidence of facts could have dispelled: nothing short of this could have induced men to concur with himself in opinion that an effectual remedy, a material amelioration in the condition of the people, was only to be expected from a radical reform. Had he sooner stirred this question, he should have been accused of throwing the apple of discord among the Whigs maliciously and advisedly, for the purpose of defeating all those rational and moderate plans of reform, as they were falsely called, of which that party were the advocates.

But now, that all attempts at remedying minor abuses had failed, and the utter hopelessness and folly of placing any reliance on what was called a new parlia-

ment had been made apparent, knowing the anxiety of the public mind, seeing the dissatisfaction every where expressed by the people from the public burdens and distress; and, the cause of all, the want of a fair representation; he felt it his duty to bring forward the subject. He entertained no expectation of its being followed by the immediate adoption of any measure, but he did not doubt that the principle, if adopted, would have a practical and beneficial effect in tranquillising the mind of the country; and he was anxious that it should be tranquillised, that the people might give no pretence to the noble lord at the head of the administration, for again proposing to this borough-mongering parliament the suspension of the Habeas Corpus act.

The motion he should make, would lay gentlemen under no obligation to support general suffrage, or annual parliaments, or even to state explicitly how far they would go:—all he requested of them was, an engagement to satisfy the public mind that early in the following sessions, some remedy might be expected for an evil of such magnitude, as the people not being represented in the Commons House of Parliament; and he did trust that all those gentlemen who had talked so much of grievances, would support a resolution for taking into consideration this master-grievance. The hon. baronet then entered into a train of argumentation intermixed with citations tending to show that the plans of general suffrage which it was now esteemed

teemed wild and visionary to support, were in effect conformable to the true principles of the English constitution as laid down by Mr. Justice Blackstone, and in fact, by all our constitutional authorities. He added; it is indeed impossible to contemplate the whole system of our laws, the maxims of the common law, and the true principles of liberty, without at the same time perceiving that the true principles of the English constitution are the same. Election is the soul of both, and the people of England in former times not only elected members to serve in parliament, but also a great number of other constitutional officers, sheriffs, magistrates and constables; leaders in war, and conservators of peace.—So far therefore from being wild and visionary, and exorbitant in their demands for the restoration of their rights, even in the midst of distress, the people are moderate and wise:—their aims are noble, their first wish, is to be free,—and yet so modest are they in their demands, wild and visionary as they are called,—that they demand only to be restored to that portion of their rights which is necessary for the security of their property, and of their persons,—the appointment of those men who are to have the disposal of the hard-earned fruits of their industry and labor, and in whom they can confide for the honest application of them to the purposes of the state—to have some share in the appointment of those, who not only raise taxes from their labor, but who also exercise the power of taking the people themselves,—using

their limbs and shedding their blood,—whenever the cause of the country demands the sacrifice. Is it, then, asking too much, for men who are liable to be torn from their families, and exposed to all risks and dangers, that they should have some share in the election of the representatives who have the power of saying, when and how these services should be demanded? That they should, appears to me both reasonable and just. After a reference to the comparative state of freedom of the people of England, and of France in the time of lord chancellor Fortescue, contrasted with that of the present day, the hon. baronet proceeded to remark on the ignorance evinced by the noble lord opposite (Castlereagh) of the general state of distress and embarrassment now subsisting amongst all conditions of persons. At the commencement of the present sessions, he said, the noble lord dreamed, that the agriculture, manufactures and commerce of the country were in the most satisfactory state, and had recovered from that temporary pressure which he admitted they had undergone, in the transition from war to peace. I cannot but suppose these to have been the real sentiments of the noble lord, because he put this language into the speech from the throne; but I will say, that if the noble lord believed this, he was the only person in the country who did; at least, I never conversed with any gentleman from the country, either then, or since, whose opinion was not the very reverse. Your manufacturers come forward

ward and state to you, how impossible it is for them to continue under the present weight of taxation; that their workmen, notwithstanding unremitting toil to the almost extinction of life, are still unable to procure a pittance sufficient for the maintenance of the most wretched existence; you have petitions from the clothiers of Yorkshire, which state to you that it is impossible for them to continue their business, unless they are protected in a monopoly at home, and are freed from all duties on importation from abroad. The farmers, on the contrary, petition, and tell you, that it is quite impossible for them to pursue agriculture, without the imposition of duties on foreign wool, and still heavier duties on corn, sufficient to secure to them the home market, and to put an end to a competition destructive to them, and impossible for them to maintain even in their own market, with the untithed, and comparatively untaxed corn of France. The manufacturer says, if you do this, you ruin for ever the commerce and manufactures of the country. On the other hand, the farmer says, if you do not do this, I am undone. The merchant declares, that if the Bank shall narrow its discounts, it will ruin trade; and the ministers reply, that if they permit the Bank to continue to inundate the country with its paper circulation, the nation is absolutely undone.—Whilst the Bank says, that until the government first pays the monstrous debt it has contracted with the Bank, it cannot pay in cash.

The truth is, taxation is far

beyond what the country bear, and to relieve it is impossible, without having recourse to reform. Under the present system, it is not in the power of the ministers, nor would it be in the power of the Whigs, were the ministers, materially to retrench the expenditure, even if they were so disposed. What vices of corruption and unnecessary expenditure, is what Mr. A. Young had very significantly called, the oil for the machine, and it must be confessed, that a great quantity of oil is required to keep in action a machine in motion of which is exposed to much friction, arising from repugnance to the interests and feelings of the people. What can be more wild and visionary, than to look for effects without causes, to expect the present system to be carried on without the means of corruption, which are requisite for the purposes of the present system, is not sufficient for this purpose, merely that taxes should be levied,—but also that great numbers of people should be employed in their collection. A number of persons so employed is as much an object with the government, as the money brought into the Exchequer. What a reformed parliament indeed, this might be dispensed with. Another source of large expense for the public, is the monstrous, and unconstitutional military establishment of the country. This monstrous constitutional standing army, every one must see, is not necessary to support this monstrous, unconstitutional, and corrupting parliament. If the present government viewed this House as their

guard, and not as the instrument of their oppression; if, in one word, the people were not excluded from all share in the appointment of those who call themselves the representatives of the people, this immense army would become perfectly useless. The army however may be essential, or the so called representatives may think it so, for the support of the government carried on by a corrupt House of Commons,—for I do not deny that the people might be indisposed to submit to this usurpation, this exclusion of the great mass of the people from its right of representation, if it were not for the army employed for the purpose of supporting it. After many more remarks in reprobation of what the hon. baronet styled the system of borough-mongers, which, as he contended, had produced a state of the representation not less derogatory to the dignity of the Crown, than injurious to the interests of the people, and the abrogation of which he regarded as the one thing needful to the redress of the many grievances of the country, the hon. baronet ended his elaborate speech by moving, that early in the next session, this House should take the subject of the representation into its serious consideration.

Mr. George Lamb, in rising to second the motion, congratulated the friends of reform, on the manner in which it had been introduced by the hon. baronet, as excluding all harassing details which might tend to excite conflicting opinions. For himself, he dissented from the opinions

and theories of those men with whom the hon. baronet was sometimes in the habit of acting. He did not think that the march of reform had been of late great or judicious out of doors. He could not think with the hon. baronet, that the House had been idly occupied in the course of its present sittings: though not indeed engaged in the work of reform, it had been occupied, to a certain extent, in punishing and pulling down bribery and corruption. He wished to see the borough system purged of its corruption, the elective franchise extended to populous places where it did not now exist, and triennial parliaments restored. He begged to add, that whatever reception the present proposition might meet with, he must still consider the members of that House as the constitutional representatives of the people.

The other members who took part in this debate, were, with scarcely an exception, gentlemen who usually vote on the side of opposition, and who were nearly unanimous in expressing their wishes for a limited reform of the representation, particularly as a means to the attainment of a reduction in the present profuse and corrupt expenditure of public money in every department of the national establishments. But most of them declared their averseness to pushing reform to the length contemplated by the hon. baronet, and several were opposed to the motion on account of the time at which it was brought forward, though others declared their intention of voting in its favor. After a reply from the

hon. baronet, the House divided on passing to the orders of the day. Ayes, 153; Noes, 58.

House of Lords, June 30th.

Reversal of Lord E. Fitzgerald's Attainder.—Lord Liverpool rose with peculiar pleasure to present to the House on the part of the crown an act of grace for the restoration of two unfortunate individuals to their full rights as British subjects. It was to reverse the attainder of lord Edward Fitzgerald, by which the blood of his two children, Edward Fox Fitzgerald, and Louisa Maria Fitzgerald, had become corrupted. The preamble of the present bill contained three reasons for this reversal. First, that the individual in question had never been brought to trial, owing to circumstances to which at present he should merely allude; 2ndly, that the act of attainder did not pass the Irish parliament till some months after his decease;—3rdly, a reason arising out of the other two, that as he had not the benefit of a trial, the attainder could not have issued against him upon a regular conviction. He thought these were sufficient reasons for passing the bill, but even if they were not, he implored their lordships to recollect that he stood before them as the advocate of two unoffending individuals, one of whom had served his country with distinction in the field. The crown, in proposing this act of grace was performing an act peculiarly grateful to the feelings of the Prince Regent; and he had no doubt, that it would be equally grateful to those of their lord-

ships to mitigate the severity of a measure passed in unhappy and unfortunate times.

The Duke of Wellington could not let the present opportunity pass without bearing testimony to the brave, and honourable, and excellent conduct of the young man in question, during the time that he had been acquainted with him.

Lord Holland was unable to restrain the feelings by which he was then agitated. He must express his gratitude to his Royal Highness for the act of grace he had caused to be proposed, his acknowledgments to the noble earl for the honorable and manly manner in which he had moved it, and his thanks to the gallant duke for his testimony in behalf of one of the individuals who were to profit by it. He felt great satisfaction at the manner in which the preamble was worded, both on public and private accounts; with the private reasons it would be improper to trouble their lordships, and with the public ones, it would be both injudicious and ungrateful to interfere on an occasion where unanimity was of so much importance. The bill was read a first time, and on June 7th, a message announced to the Commons that it had passed.

Lord Castlereagh then moved, that the measure should immediately receive the concurrence of the Lower House, and after a few words of acknowledgment from lord W. Fitzgerald, and of high approbation from Sir F. Burdett, it passed without opposition.

Slave Trade.—July 7th. Mr. Wilberforce

Wilberforce said, that the object of his present motion was, that the efforts of his majesty's ministers should be renewed with those powers which had formerly carried on the Slave Trade, but had now passed laws for abolishing it, in order to induce them to take measures for the more effectually carrying the abolition into execution. In consequence of the communications made by his noble friend (Castlereagh) to the powers assembled at Vienna, one of the most forcible declarations ever penned, was unanimously adopted by all the great powers at Vienna, denouncing the African Slave Trade as contrary to every principle of humanity, and as one of the greatest practical evils that ever existed. There was now but one single power, Portugal, which had not declared the Slave Trade a mass of injustice and cruelty, and fixed a definite time for its termination. Spain had abolished it absolutely to the north of the line, and fixed a period for its abolition to the south of it. With respect to the trade, he regretted to say, however, that notwithstanding the laws passed in several countries for its abolition, it was still carried on;—it had been found impossible to sweep away at once that incurable race of free booters who infested Africa. The persons carrying on the trade were of all nations, English, Dutch, French, Spanish, Portuguese and Americans. But at length, a system of international policy had been adopted on this head, so that it was to be hoped those persons would not be able to escape the punishment

they deserved. Unhappily however, two great powers had hitherto refused to enter into these arrangements, and he could not but regret that these powers had not of themselves taken measures for rendering the abolition of the trade effectual. It grieved him to think, that a great and high-minded people, a nation of cavaliers like the French, should refuse to take the proper measures for putting an end to this trade: while we, who had been called a shop-keeping nation, had given it up, it was surprising, that such a traffic as this should have been taken up by a nation which had never been considered as possessing in any considerable degree the commercial character. He was still more hurt, that the United States of America should not have taken effectual means to put a stop to the trade. They were the first to declare that the Slave Trade should be abolished. As soon as the forms of their constitution admitted, they passed a law for its abolition. Many of the States were perfectly sincere in their wish to put an end to it; but unfortunately, there were others where a similar wish was not so prevalent, and which would not consent to the measures for rendering the abolition effectual. The Congress, however, had lately passed a law on the subject, appointing a large naval force, and giving a bounty for bringing in ships engaged in the trade. He trusted, that the United States would provide for the practical execution of their benevolent intentions, as parts of Africa were in a way to show, what the friends of Africa always asserted,

asserted, that but for the disadvantages under which they had been placed, the genius and temper of the inhabitants would have secured them a progress in civilisation equal to the other quarters of the world. The much calumniated colony of Sierra Leone, now presented the spectacle of a flourishing settlement; 2,000 children were in a course of instruction, and eight or nine thousand free blacks were beginning to taste the advantages of civilization. He was perfectly sure, that the best means of inducing other countries to make efforts for the final abolition of this trade, was, to show them how much we had at heart, to afford Africa reparation for the injury she had suffered at our hands. It was only because it was supposed the victory was gained, that the country was quiet; if they knew that the contrary was the fact, they would show that they did not feel in this great cause less earnestly.

The hon. member concluded by moving an address to the Prince Regent, founded upon the situation of affairs relative to the Slave Trade, which he had explained to the House, and concluding with the following clauses: "That we conceive, that the establishment of some concert and co-operation in the measures to be taken by the different powers for the execution of their common purpose, may, in various respects be of great practical utility; and that, under the impression of this persuasion, several of the European states have already entered into conventional arrangements for seizing vessels

engaged in the criminal traffic, and for bringing to punishment those who shall still be guilty of these nefarious practices:—That therefore, we supplicate his Royal Highness, to renew his beneficent endeavours, more especially with the governments of France, and of the United States of America, for the effectual attainment of an object which we all profess equally to have in view; and we cannot but indulge the confident hope, that these efforts may yet, ere long produce their desired effect, may insure the practical enforcement of principles universally acknowledged to be undeniably just and true; and may obtain, for the long-afflicted people of Africa, the actual termination of their wrongs and miseries, and may destroy for ever that fatal barrier, which, by obstructing the ordinary course of civilisation and social improvement, has so long kept a large portion of the globe in darkness and barbarism, and rendered its connection with the civilised and Christian nations of the earth a fruitful source only of wretchedness and desolation."

After an animated expression of his sentiments on this interesting subject by *Sir James Matkintosh*, and a few words of approval from lord Castlereagh, the address was agreed to *nem. con.*

In the *House of Lords* on July 9th, the *Marquis of Lansdowne* rose to move an address of the same purport with that proposed by Mr. Wilberforce in the Lower House; which was also unanimously agreed to.

Emigration to the Cape of Good Hope.—

July 12. The *Chancellor* *Exchequer* said, he had to a grant for enabling his government to assist employed workmen of this in removing to one of colonies. It had been the his majesty's government first to try on a small how far it might be possible by the surplus population country in one of our colonies in a manner advantageous people removed and benefited the country. From the primary result of this experiment government were now of trying one on a large scale. The colony seemed as that of the Cape of Good Hope. The greater part of persons disposed to emigrate either wished to go to the States of North America, the government could give no direct encouragement, the British colonies of America. But with regard to the latter, his Majesty's government, considering the influence to which these people could be exposed on their having selected the Cape as a colony to which emigration would be most advantageously. From the mildness of climate and fertility of the soil in some parts, a rapid and profitable return might reasonably be expected. The colony was highly favorable to the production of stock. The greater part of the colony seemed as the south-eastern coast of Africa. It was at some distance from Cape town. A small town already built there. It was proposed to pay the

expense of the passage, and to secure to the settler the means of employing his industry to advantage on his landing on the destined spot. But, a small advance of money would be required from each settler before embarking, to be repaid him in necessaries at the Cape, by which means, and the assistance given him by government, he would have sufficient to procure him a comfortable subsistence till he got in his crops, which in that climate were of rapid growth. The Cape was suited to most of the productions, both of temperate and warm climates,—to the olive, the mulberry, the vine, as well as most sorts of culmiferous and leguminous plants. The right hon. gentleman concluded with moving the grant of a sum of 50,000*l.* for the purpose of enabling government to assist emigrants to the Cape. The motion was agreed to.

The Budget.—The proceedings of parliament on the important subject of supplies, which we judge it convenient to throw together in a single article, commenced as early in the sessions as February 8th, when

Lord Castlereagh rose in the House of Commons to move for the appointment of a select committee to inquire into the income and expenditure of the country. He began by protesting against the appointment of such a committee being regarded as a thing of course. When, two years ago, he had adopted the plan he was now pursuing, he had stated that the then condition of the country required it; and he added, what the

the result proved, that the country might be satisfied that there was a gradual improvement in its financial circumstances, and that, ere long, a growing surplus of revenue, as compared with expenditure, would be discovered. His motive for moving for the committee so early was, that it might proceed with its deliberations without delay, and that the House might be in possession of a report which would show the real situation and fair prospects of the country. The first important point was the income of the country; and he would state the amount of the receipts for the quarter ending with the 5th of January 1818, with the quarter ending on the 5th of January 1819. The receipts on the former were 51,665,458*l.*, and on the latter 54,062,000*l.*, showing an increase upon the quarter ending January 5th, 1819, of 2,397,000*l.* It was material, however, to observe, that upon the sum first named there were certain arrears of war duties on malt and property considerably beyond 2,000,000*l.* which reduced the income to January 5th, 1818, to 49,334,927*l.* while the arrears of the same taxes up to January last amounted only to 566,639*l.*; so that the produce of the permanent taxes for the latter quarter was in truth, in round numbers, 53,497,000*l.* being an improvement in the whole of 4,163,000*l.*, deducting from both the amount of the arrears of each. Honourable members were likewise probably aware, that a considerable amount of the sugar duty had been admitted into the receipts for December 1818, which in fact belonged to the

revenue for the preceding year, and which ought therefore to be added to the amount of the sugar duties of 1819: this would reduce the nett produce of 1818 to 48,724,000*l.*; the difference then, allowing for some other comparatively small deductions, would be 5,328,000*l.*, or not less than an increase of 10 per cent on the ancient permanent taxes. It was impossible to announce to the House a more encouraging prospect than this state of things afforded. Taking in the increase of income and the reduction by economy of 650,000*l.*, it appeared that the country was now in a better situation by 2,145,000*l.*, than the former finance committee had ventured to anticipate, and adding to that the sum of 1,413,000*l.* on which the finance committee had calculated, a total surplus of not less than 3,558,000*l.* was the result, applicable to the reduction of the national debt. Out of that sum, 1,000,000*l.* was to be taken for the amount of the interest on the loan; for it need not now be stated by him that his hon. friend had no intention of proposing any new taxes. But it was to be taken into consideration, that the revenue promised to be still more productive. Even in the single month of the year which had elapsed, there was a comparative increase of 30, or 35,000*l.* If, as might be expected, this increase should continue, it would not be too much to reckon it at 1,000,000*l.* on the whole year, which would again bring the surplus revenue to 3,500,000*l.* After entering into several details of the reductions which had been effected in the various military establishments,

ishments, the noble lord ended to state that this fable situation of our finances he more satisfactory as it ended from the industry, every thing which constituted the real and solid wealth people. A mistaken idea one forth that a great deal commercial distress prevailed; the exports had been tolerably reduced, that the force of the country had needed a severe and perhaps terrible shock. But in fact year 1818 had been the most did ever known in the annals of British commerce. The value of its imports 35,325,000*l.* being nearly 100*l.* beyond the year 1815, great excess of which was due to temporary, fallacious, unnatural causes.

Tierney attacked, at various times, the course pursued by the noble lord in bringing forward finance measures of the pre-war. It was the duty, he contended, of a finance committee, to point out objects for retrenchment; but as those committees were now constituted, their reports were nothing but expostulations of the budget; the noble lord's speech was nothing but an anticipation of anticipations. He did not think that there had been an improvement in our exports, but argued that the important question was, how we were to get rid of our difficulties? how we were to fill up the chasm in our resources? The chancellor of the exchequer had not ways and means exceeding 7,000,000*l.* The resources of last year were not

less, he took it, than 21,000,000*l.*; allowing that those of this year would be 1,000,000*l.* less, how were the other thirteen to be provided for? How could any man in his senses say, that with an expenditure of twenty millions, and an income of seven, both ends would be made to meet, and a surplus left? It was a mere jugglery to assert such a thing. Where was the sinking fund, or what had been said about that? It would be said, that there was a sinking fund of 14,000,000*l.*, at least that it would soon nearly amount to that sum; but to support it, it would be necessary to borrow 13,000,000*l.* He conceived that instead of being in a prosperous, we were absolutely in a frightful situation; and if the world looked upon us with astonishment, he should only say, well they might, for he believed that never at any period did we present such a melancholy picture of financial derangement,—going on borrowing year after year, in time of peace,—and flattering ourselves that we had a sinking fund to bring us out of our difficulties, when in fact we were obliged to support that by still borrowing.

After a defence of the proceedings of the finance committee by the chancellor of the exchequer, and some remarks from other members, the committee was appointed.

House of Commons, June 3.

Resolutions relative to the public Income and Expenditure.—The House having resolved itself into a committee on the public income

come and expenditure, to which the first report of the finance committee and sundry documents were referred, the chancellor of the exchequer read the resolutions which he announced it to be his intention to bring forward. They were as follows:

1. That since the termination of the war in 1815, the property tax in Great Britain, and other taxes in Great Britain and Ireland, which yielded a revenue of upwards of 18,000,000*l.* per annum, have expired, or been repealed, or reduced.

2. That by an act passed in the 56th Geo. 3rd, c. 98, the revenues of Great Britain and Ireland were consolidated from the 5th of January, 1817; and that in the year preceding the said consolidation, the nett separate revenue of Ireland was, 4,661,353*l.*, and the charge of the funded and unfunded debt of Ireland was, 6,446,825*l.* including therein the sum of 2,438,124*l.* as the sinking fund, applicable to the reduction of the debt; which charge exceeded the whole nett revenue of Ireland by the sum of 1,885,472*l.* without affording any provision for the civil list and other permanent charges, or for the proportion of supplies to be defrayed by that part of the united kingdom; and that no provision has been made by parliament to supply this deficiency.

3. That the supplies to be voted for the present year by parliament may be stated at 20,500,000*l.*

4. That the existing revenue applicable to the supplies, cannot be estimated at more than

7,000,000*l.* leaving the sum of 13,500,000*l.* to be raised by loan or other extraordinary resource.

5. That the sinking fund, applicable to the reduction of the national debt in the present year, may be estimated at about 15,500,000*l.* exceeding the above sum necessary for the service of the year, by about 2,000,000*l.* only.

6. That to provide for the exigencies of the public service, to make such progressive reduction of the national debt as may adequately support public credit, and to afford the country a prospect of future relief from a part of its present burthens, it is absolutely necessary that there should be a clear surplus of the income of the country, beyond the expenditure, of not less than 5,000,000*l.*, and that, with a view to the attainment of this important object, it is expedient now to increase the income of the country by the imposition of taxes to the amount of three millions per annum.

On June 7th, the House having again resolved itself into a committee on the first report of the committee of finance, the chancellor of the exchequer recapitulated the resolutions of that committee, commenting on them as he proceeded. Under the last, he enumerated the various articles on which he should propose an augmentation of imposts in order to meet the necessity which had been stated for the levy of 3,000,000*l.* by new taxes. These articles he afterwards recapitulated with their estimated amounts, as follows:

Conso-

GENERAL HISTORY. [91

on of the Customs, including the 200,000*l.* of increased
Duty on

Wool	500,000
.....	1,400,000
h Spirits	500,000
cco	500,000
e and Cocoa	130,000
.....	130,000
er	30,000
ing in the Whole	3,190,000

erney rose, and after
with much severity
the imposition of
of new taxes at the
cture, when so many
f expenditure still re-
which important re-
might be effected by
system of economy,—
by moving the pre-
tion on the two last
of the committee.

animated debate, in
rd Castlereagh, Mr.
and several other
ook part, the House
Mr. Tierney's amend-
the original motion,
the amendment, 132:
97. The resolutions
agreed to.

lget.—These previous
g been gone through,
on June 9th, resolved
a Committee of Ways

ncellor of the Exche-
red, that as the House
mittee on the report
mittee of finance had
ered at large into the
on of the general situ-
country with respect
ces, and had sanction-
resolutions to which

it had agreed, the general princi-
ples on which he intended to
ground the financial operations of
the year, it only remained for him
to submit to the committee the
details of the plan by which it
was proposed to carry them into
effect. The House had also ap-
peared to approve, though it had
not yet confirmed by direct reso-
lution, the measures he had pro-
posed of rendering the sinking
fund applicable to the public
service to a certain extent, by
means of a loan contracted with
the commissioners for the reduc-
tion of the national debt, under
the sanction of the provision in
the Sinking Fund act, commonly
called Mr. Fox's Clause, and of
making such provision as would
render it unnecessary to resort
for the future to annual loans.
It was now his duty to describe
the arrangements which it was
proposed that parliament should
adopt for the purpose of carrying
that resolution into effect, so far
as regarded the present year. In
doing that, he should follow the
usual course. He should, in the
first instance, recapitulate the
supplies that had been granted,
and that it would still be neces-
sary to grant, for the service of
the present year, and then state
the

the ways and means by which it appeared to him that those supplies might be most advantageously met; he should then proceed to an explanation of the intended arrangements with respect to the proposed taxes which he was desirous of submitting to the sanction of the committee; and lastly, he should point out those general measures for the regulation of the finances of the country, which appeared to him to be expedient, with a view to render the imposition of new taxes unnecessary, and to prevent any recurrence to loans, with the exception of a small loan for the next year, if it should be required for the purpose of the intended repayment to the Bank of England. So much detailed information had already been laid on the table of the House in the reports of the committee of finance, and so much had been elicited by the late discussions in the House with respect to the various grants which had been made, and which it would be necessary to make for the service of the year, that on that point he should have little more to do than refer the committee to those reports for explanation.

To begin with the first great branch of our expenditure,—he meant the charges for the military service of the country: the committee were aware that the army extraordinaries still remained to be provided for. Adding them to the branches of charge for the military service of the country which had already been voted, the total charge for the Army Ordinaries and Extraordinaries, would be 8,900,000*l*. The whole

of the supplies for the navy had been granted by parliament; they amounted to 6,436,000*l*. For the Ordnance, parliament had also voted 1,191,000*l*. In the Miscellaneous services, a considerable number of items were yet to be submitted to the House; among which were, the Irish Miscellaneous Services, and the grants for the poor clergy both in England and Scotland; but, adding the amount of those to what had been already voted, the total of Miscellaneous Services for the year would be, 1,950,000*l*. In conformity with the regular course of parliamentary proceeding, to which he always wished to pay the attention that was due to it, he begged to state that, as there yet remained some supplies to be voted, it was not his intention at present to complete the Ways and Means, but to borrow from the sinking fund the sum of 12,000,000*l*. which would more than cover all that was yet to be granted. This mode of proceeding would not only preserve regularity, but would afford an opportunity of making those calculations which it might hereafter be necessary to lay before parliament. The total of the Supplies for the year, as he had already enumerated them, amounted to 18,477,000*l*. But to that must be added, 1,570,000*l*. for interest on outstanding exchequer bills, and 430,000*l*. for a sinking fund on those exchequer bills; making in the whole a sum, falling short of the sum of 20,500,000*l*. stated to be necessary for the service of the year in the Resolutions already agreed to by parliament, namely, 20,477,000*l*. To meet these charges, parliament had already

GENERAL HISTORY.

the annual malt duties, 3,500,000*l.*; and the temporary duties, 3,500,000*l.*; and now propose to be contracted for this year to 12,000,000*l.*; 240,000*l.*; and proposed sale of naval stores, the aggregate amounts, exclusive of the raised by loan, was,

It was obvious, that means must be provided the sum of ten millions and a half; the difference between the Supplies, and the Ways and Means, as he described them. He also recall to the attention of the committee, that the which had taken respect to the resumption of payments by the Bank, led to an arrangement the repayment to the course of two years, sum of 10,000,000*l.* it was necessary that should be provided in year; and a farther 1,000,000*l.* would be required the reduction of the national debt, government stand to that proceeding. For purposes it was proposed two loans, each to be 12,000,000*l.* One had been contracted for by competition; the other was to be deposited in the sinking fund, the which he would submit it on an early day. He would at present observe to it was, that used in the arrangement to it, to press as far as possible on the money

market; and therefore he proposed to divide it into twelve monthly payments; those payments not to be to the amount of 900,000*l.* a month in the January quarters, and 1 a month in the April and October quarters. By this arrangement, nearly 310,000*l.* would be left monthly in the hands of the commissioners for the reduction of the national debt, for the purchasers of stock; exclusive of the Irish sinking fund, from which nothing would be taken. The loan of 12,000,000*l.* by competition, and that to be derived from the sinking fund, added to the Ways and Means which he had already enumerated, made 31,074,000*l.*; which, when compared with the amount of the Supplies, viz. 20,447,000*l.* left a surplus of 10,597,000*l.* to be applied to the reduction of the unfunded debt, viz. 5,000,000*l.* to the payment of the Bank of England, and the remaining 5,597,000*l.* to the individual holders of exchequer bills. The comparative view of the whole Supplies and Ways and Means was therefore as follows:—

SUPPLIES. <i>£.</i>	
Army	8,900,000
Navy	6,436,000
Ordnance	1,191,000
Miscellaneous	1,950,000
Total Supplies ...	18,570,000
Interest on exchequer bills	1,477,000
Sinking fund on ditto	430,000
	<hr/>
	20,477,000
	<hr/>

By reduction of unfunded debt 10,597,000

£. 31,074,000

94] ANNUAL REGISTER, 1819.

WAYS AND MEANS.

	£.
Annual Malt	3,000,000
Excise duties continued	3,500,000
Lottery	240,000
Old Stores	234,000
	<hr/>
	7,074,000
Loan	12,000,000
Loan from the Sinking Fund	12,000,000
	<hr/>
	£. 31,074,000

He had already informed the committee, that a loan by competition for 12,000,000*l.* had that morning been contracted for. He would now state the terms of that loan; and he was happy to congratulate the committee and the country, that in consequence of the competition which had been excited, those terms were highly advantageous and satisfactory, and were indeed such as clearly to evince a reviving confidence and an increasing spirit in the money market. The terms were as follow, *viz.* that for every 100*l.* of the 12,000,000*l.* the subscribers should receive 80*l.* stock in the three per cent consolidated annuities (the interest on which would not commence until July and was not to be retrospective), and 62*l.* 18*s.* 6*d.* stock in the three per cent reduced. Two other lists were offered,—the one proposing to receive 65*l.* 10*s.* in the three per cent reduced; the other, 65*l.* 2*s.* 6*d.* The list preferred, therefore, far outstripped its competitors, and was consequently accepted; as, of course, the smaller the sum which it was offered to take, in the stock in

which it was appointed the biddings should take place smaller the charge, both for capital and interest to the country. The loan thus raised, and loan to be derived from the sinking fund, he would regard as a joint loan in speaking of the stock created by the two operations. Considering them as a single loan, the stock created for 24,000,000*l.* thus raised, would be 32,304,000*l.* in the three per cent stock, taken partly in consols and partly in the reduced stock. The interest on this stock would be, 1,029,120*l.*; the sinking fund, 402,594*l.*; and the charge for management, 10,291*l.*; making a total of 1,442,005*l.* Here he thought it necessary to observe that he had strictly carried out the effect the provisions of the act of 1813; by which it was provided that when the loan for the sinking fund exceeded the proportion of the sinking fund already established, a fresh sinking fund, to the amount of half the interest should be formed. The question might perhaps have arisen whether it had been dispensed with on the present occasion, as so large a proportion of the loan was applied to the purpose of reducing the unfunded debt. He had felt, that when a loan was raised in time of peace, the operation of the sinking fund, in respect to it, ought to be strengthened rather than diminished; and he had accordingly complied with the provision of the act of 1813. With respect to the charge for management, he did not consider the Bank to have a right to any allowance for the management of that part of

GENERAL HISTORY. [95

derived from the sinking but only for that which had contracted in the money t. The loan obtained from sinking fund, would stand as in the names of the comers, and the interest would plied by them in the same r as that of the other funds ir hands. He had already to the committee, that the charge on the loan was 005%. The rate of interest subscribers was 4l. 5s. 9d.; sting, on an average calcu- of three per cent stock, to

The total amount of the e to be paid by the public (sinking fund included), was . 2d. per cent. He again atulated the public on the of the loan, which he d would not be unfavour- o the adventurous parties whom it had been negotiated, gh the terms were so low, with reference to the imme- price of stock, the bidding not, at first sight, appear able on the score of pru- . He hoped, however, that d ultimately prove advan- us to all parties.

ore he proceeded to the parts of the subject, he d to advert to the measures ie believed would be neces- next year. As far as he judge at present; the at that it would be necessary se next year for the different hes of the public service, not exceed 11,000,000l.; s the 5,000,000l. which it be necessary to pay to the of England, in order to ete the arrangements for uidation of 10,000,000l. due

to that body. Those two sums amounted to 16,000,000l. If 12,000,000l. were taken from the sinking fund, as in the present year, there would remain but 4,000,000l. to be raised in the money market. The sum was so moderate, that he apprehended there would be but little difficulty or inconvenience in obtaining it, and he sincerely hoped and trusted, looking to the prospect of continued tranquillity which the present posture of affairs in Europe afforded, that it would be the last time they would have oc- casion to resort to the money market during the existence of peace. And even that applica- tion might perhaps be avoided by proper management when the period should arrive. The next branch of the subject to which he wished to call the attention of the committee, was the considera- tion of the mode by which he proposed to realize the pledge that had been given to the stock- holder to raise 3,000,000l. in taxes, in order to make up with the two millions of surplus revenue, a sum of five millions applicable to the reduction of the national debt. But as he was on the general sub- ject, he was desirous, before he proceeded further, to describe the present state of the unfunded debt of the country, and the situa- tion in which it would remain after the arrangements of the pre- sent year were wound up. The existing unfunded debt was about 49,000,000l.; the interest of the whole of which was provided for by the votes of supply in the pre- sent year. The total amount of exchequer bills outstanding was 44,600,000l. These he proposed to

to replace by exchequer bills already voted to the amount of 20,000,000*l.*, by a further vote of 16,000,000*l.*, and by 2,500,000*l.* of Irish treasury bills, which would make the total amount of the unfunded debt 38,500,000*l.* Compared with the 49,000,000*l.* of unfunded debt at present existing, there would thus be a diminution of ten millions and a half. It was his intention to propose, that the three millions which parliament had resolved to raise by taxation, should be applied to strengthen the consolidated fund, in order to enable it to support the charges of the loan of the present and of the last year, to which, thus reinforced, he thought it would be nearly equal. The charge on the last loan was about 1,600,000*l.*; that of the present 1,442,000*l.*, making together the sum of 3,042,000*l.*; being an excess of 42,000*l.* over the sum which it was proposed to raise. That sum would therefore be appropriated to meet the charges on the two loans; and as it was a matter of account, it was not very material that the appropriation should be exactly balanced. A little might be thrown into one scale or the other without inconvenience, although it would be well to allot them, as nearly as possible, the same proportion.

He now came to the particular propositions which he had announced it to be his intention to bring forward. The first was the consolidation of the customs. It was impossible for him to go into all the items of which that head was composed; and it was the less necessary, as a schedule had been prepared, which would give

gentlemen the fullest information on the subject. It was only material to state the increase on the whole, on the duties already existing. The only important increase of duty, as he had already stated, was that in the duty on foreign wool, which was of considerable amount. The others were very minute in their rates; and the produce of the whole might be taken at 500,000*l.* annually. In such a variety of articles, some would, of course, produce more, some less, than the estimate; but he saw no reason to think that the whole would not amount to the sum he had mentioned; and whether some produced more, and some less, was not material, as the whole was to be thrown into the general mass of the consolidated fund. The articles of minute detail, when the schedule to which he had alluded was printed, would be subjected to the consideration of every hon. member who might feel interested in the various minute alterations proposed; and every variation of rate would be marked in it; for in some instances the duty was reduced, while in others it was increased. He had mentioned on a former night, that a considerable advantage was expected from transferring the collection of several of the duties from the board of customs to the boards of excise. These were the duties on tobacco, tea, pepper, coffee, and cocoanuts. On the last-mentioned article, a higher rate of duty was at present paid than on coffee. For many years, the duty on the two articles had been the same. But when it became an object to
bring

bring coffee into more general use, a difference was made in its favour, but it was now proposed that coffee and the cocoa-nut or chocolate-nut, should, with reference to taxation, be placed on the same footing.—The remaining articles to be considered were tobacco, coffee, tea, and pepper. With respect to tobacco, the existing duties greatly varied. American tobacco paid an excise duty of 9½*d.* a pound; Spanish and Portuguese tobacco 2*s.* a pound; and West India tobacco 1*s.* a pound. To this was to be added the custom duty. It was intended to simplify all those duties, and to impose on all plantation and East India tobacco a duty of 4*s.*, on foreign tobacco, and on all foreign snuffs a duty of 6*s.* The produce of the increase of these duties he estimated at 500,000*l.* Upon coffee, of the plantations, there was at present a duty of 7½*d.* a pound. He proposed to raise it to 1*s.* a pound. East India coffee from 11*d.* to 1*s.* 6*d.*; and on foreign coffee from 2*s.* 4½*d.* to 2*s.* 6*d.*, from which it was estimated, that 30,000*l.* would be derived.

He had already mentioned, that by the transfer from the customs to the excise, very considerable expenses of management would be saved to the public. By placing all the duties on one article under the management of one board, that of the excise, all the services of the officers of the customs employed on that particular branch of the service would be saved to the public. A most essential convenience would also be afforded by it to merchants. He did not know any thing of

VOL. LXI.

which persons in trade more loudly complained, than the multiplied regulations to which they were at present obliged to attend, and the necessity they were under of making applications for the same business at various places, and at different periods of the day. All that would now be remedied. But the principal advantage of the projected arrangement was this,—that it would prevent the adulteration of the articles which it comprehended. Some of those articles were sold in small quantities; oftentimes ground up, and it therefore became extremely difficult to determine whether or not they were genuine. By the transfer of these from the customs to the excise, a watch would be set over them to prevent their adulteration. It was desirable also, that the collection of the revenue should be placed under the care of those who possessed the best means of exercising a vigilant superintendence over it; and that commissioners of the customs have no cognizance of the subjects of taxation after their delivery from the king's warehouses.

Two other subjects remained to be brought under the consideration of the committee. One from which he expected to derive a very considerable addition to the revenue, was the increased duty on malt. He had stated on the former evening, in his general opening, that he calculated on it producing 1,400,000*l.* including its operation in Ireland,—to which country, indeed, it was proposed that all the increased duties should extend, except that on home distilled spirits. The sum

[H]

which

which he had mentioned, would, he conceived, be raised by the imposition of an additional duty of 1s. 2d. a bushel, or 9s. 4d. per quarter. When he first introduced the subject of the duty on malt, he endeavoured to show by calculation, that the additional duty ought to cause no addition of price to the public. In the opinion which he had expressed on that occasion, he had been confirmed by subsequent inquiry and consideration. He wished that every gentleman who took an interest in this subject would give themselves the trouble of consulting the evidence taken before the committee on breweries which sat last year; the report made by which contained highly valuable information. He had taken the liberty, on the occasion to which he had just alluded, of adverting to the evidence given before that committee by a very respectable gentleman, extensively engaged in the trade, and at that period a member of the House. Another very respectable gentleman thought that he (the Chancellor of the Exchequer) had mistaken that evidence. Since that period he had had a personal communication and conference with the gentleman whom he had first mentioned, — Mr. Barclay, — in order that he might correct any error into which he had fallen; and he would now state to the committee the view which Mr. Barclay at present took of the subject. Mr. Barclay said, that the real price of malt generally averaged 4s. a quarter less than the price quoted. The price quoted last year was 81s. a quarter, and that he had stated to the com-

mittee on the subject; the general average of that year being believed to be 77s. a quarter. As far the difference of the two years, the result of the comparison was certainly in favour of the present year (the Chancellor of the Exchequer) had made between the present year and the present year. Mr. Barclay also stated, that the price of malt this year was 77s. a quarter; but he allowed that it was of an inferior quality to the malt of last year, and that it was not so good for the purposes of brewing by 6s. a quarter. 6s. ought therefore to be added to the present average price of malt (as compared with the price of last year) making 83s. a quarter. But hops which last year were 24l. or 25l. a cwt. had fallen to 10l. The result of the comparative statement between 1818 and 1819 would thus be:—In 1818 the price of malt was 3l. 17s., and the price of hops and other materials necessary to brew it cost 2l. 2s., making the whole 5l. 19s. In the present year, the price of malt was 4l. 10s.; but the hops and other materials necessary to brew it would cost but 18s. 4d., in the whole only 5l. 8s. thus distinctly appeared that the brewer gained a profit in the present year of 10s. 8d. a cwt. more than he did last year. He thought it but perfectly right that the public should participate that profit; and it was that the proposed duty, drawn only from the surplus of the brewer this year, compared with the last, ought

affect the price to the consumer, which price, instead of being raised, ought, and he trusted would, rather be reduced; and more especially, if the approaching harvest should turn out favourably. He hoped, whatever might be the differences between the calculations of various persons, that the House would find the general result the same, and be satisfied with his position, that the present duty did not only not go to justify a rise in the price of porter, but was compatible with a diminution of price after a time, was fully borne out.

The only remaining article to which he had to call the attention of the committee, was the proposed increase of duty on home-made spirits,—he meant spirits distilled in England, for it was not his intention that this tax should extend either to Scotland or to Ireland. The new duties he meant to impose, were at the following rates: the duty on malt wash he meant to advance 3*d.* per gallon; or from 1*s.* 9*d.* its present rate, to two shillings. The duty on sugar he proposed to advance to 2*s.* 6*d.*; and that on wine wort, or wine wash, to 5*s.* 6*d.* The produce of those increased duties he calculated at 500,000*l.* If the effect of these last duties should be to diminish the consumption of spirits, and increase that of the wholesome produce of the brewery, no man would more heartily than himself rejoice at a change that would be so conducive to the health and morals of the people. Some gentlemen concerned in the distilleries had however represented to him that

this measure would give the foreign distiller an advantage over them, unless they were protected by some countervailing measure. On that subject he had not yet come to any decision; but he might hereafter deem it expedient, to come forward with some additional proposition, which, while it afforded protection to the home trade from foreign competition, would probably, at the same time, augment the revenue of the country."

Several amendments were proposed by different members of opposition, which being all thrown out, the original resolutions were agreed to.

House of Lords. Tuesday, July 13.

The Speaker's Speech to the Prince Regent on presenting the Money Bill.—This day his Royal Highness the Prince Regent came in the usual state to the House of Peers. His Royal Highness having taken his seat on the throne, the gentleman usher of the black rod was directed to require the attendance of the House of Commons. In a few minutes the Speaker, attended by a great number of the members of the House of Commons, appeared at the bar.

The Speaker delivered at the bar the following speech:—May it please your Royal Highness; We, his majesty's faithful subjects of the united kingdoms of Great Britain and Ireland, in parliament assembled, attend your Royal Highness with our concluding bill of supply.

"The subjects which have occupied our attention have been more numerous, more various, and

and more important, than are usually submitted to the consideration of parliament for the same session.

“ Upon many of these subjects we have been engaged in long and unwearied examinations; but such has been the pressure of other business, and particularly of that which ordinarily belong to a first session of parliament; and such the magnitude and intricacy of many of those inquiries, that the limits of the present session have not allowed of bringing them to a close.

“ But, Sir, of those measures which we have completed, the most prominent, the most important, and, as we trust, in their consequences the most beneficial to the public, are the measures which have grown out of the consideration of the present state of the country, both in currency and finances.

“ Early, Sir, in the present session, we instituted an inquiry into the effects produced on the exchanges with foreign countries, and the state of the circulating medium, by the restriction on payments in cash by the Bank. This inquiry was most anxiously and deliberately conducted, and in its result, led to the conclusion, that it was most desirable, quickly, but with due precautions, to return to our ancient and healthful state of currency; that, whatever might have been the expediency of the acts for the suspension of payments in cash at the different periods at which they were enacted (and doubtless they were expedient, whilst the country was involved in the most expensive contest that ever

weighed down the finances of any country), still, that the necessity for the continuance of these acts having ceased, it became us, with as little delay as possible (avoiding carefully the convulsion of too rapid a transition) to return to our ancient system; and that if, at any period, and under any circumstances, this return could be effected without national inconvenience, it was at the present, when this mighty nation, with a proud retrospect of the past, after having made the greatest efforts, and achieved the noblest objects, was now reposing in a confident, and, as we fondly hope, a well-founded expectation of a sound and lasting peace.

“ In considering, Sir, the state of our finances, and in minutely comparing our income with our expenditure, it appeared to us, that the excess of our income was not fairly adequate for the purposes to which it was applicable,—the gradual reduction of the national debt. It appeared to us, that a clear available surplus of at least 5,000,000*l.* ought to be set apart for that object. This, Sir, has been effected by the imposition of 3,000,000*l.* of taxes.

“ Sir, in adopting this course, his Majesty’s faithful Commons did not conceal from themselves that they were calling upon the nation for a great exertion; but well knowing that honour, and character, and independence, have at all times been the first and dearest objects of the hearts of Englishmen, we felt assured, that there was no difficulty that the country would not encounter,
and

and no pressure to which she would not willingly and cheerfully submit, to enable her to maintain, pure and unimpaired, that which has never yet been shaken or sullied,—her public credit, and her national good faith.

“ Thus, Sir, I have endeavoured shortly, and I am aware how imperfectly, to notice the various duties which have devolved upon us, in one of the longest and most arduous sessions in the records of parliament. The bill, Sir, which it is my duty to present to your Royal Highness, is intitled, “ An act for applying certain monies therein mentioned for the service of the year 1819, and for further appropriating the supplies granted in this sessions of parliament. To which, with all humility, we pray his majesty’s royal assent.

The royal assent was immediately given to the said bill.

The Prince Regent’s Speech at the Close of the Session.—The Prince Regent then delivered the following Speech :

“ My Lords and Gentlemen ;

“ It is with great regret that I am again obliged to announce to you the continuance of his Majesty’s lamented indisposition.

“ I cannot close this session of parliament without expressing the satisfaction that I have derived from the zeal and assiduity with which you have applied yourselves to the several important objects which have come under your consideration. Your patient and laborious investigation of the state of the circulation and currency of the king-

dom, deserves my warmest acknowledgments; and I entertain a confident expectation that the measures adopted as the result of this inquiry, will be productive of the most beneficial consequences.

“ Gentlemen of the House of Commons;

“ I thank you for the supplies which you have granted for the service of the present year.

“ I sincerely regret that the necessity should have existed of making any addition to the burthens of the people; but I anticipate the most important permanent advantages from the effort which you have thus made for meeting at once all the financial difficulties of the country; and I derive much satisfaction from the belief, that the means which you have devised for this purpose are calculated to press as lightly on all classes of the community as could be expected, when so great an effort was to be made.

“ My Lords and Gentlemen ;

“ I continue to receive from foreign powers the strongest assurances of their friendly dispositions towards this country.

“ I have observed with great concern, the attempts which have recently been made in some of the manufacturing districts, to take advantage of circumstances of local distress, to excite a spirit of disaffection to the institutions and government of the country. No object can be nearer my heart, than to promote the welfare and prosperity of all classes of his Majesty’s subjects; but this cannot be effected without the maintenance of public order and tranquillity.

“ You

102] ANNUAL REGISTER, 1819.

" You may rely therefore upon my firm determination to employ for this purpose the powers intrusted to me by the law ; and I have no doubt that on your return to your several counties, you will use your utmost endeavours, in co-operation with the magistracy, to defeat the machinations of those whose projects, if successful, could only aggravate the evils it is proposed to remedy ; and who, under the pretence of reform, have really no other object but the subver-

sion of our happy constitution."

Then the Lord Chancellor, by the Prince Regent's command, said ;

" My Lords and Gentlemen ;

" It is the will and pleasure of his Royal Highness the Prince Regent, acting in the name and on the behalf of his Majesty, that this parliament be prorogued to Tuesday the 24th of August next, to be then here holden, and this parliament is accordingly prorogued to Tuesday the 24th of August next."

CHAPTER VII.

Reform Meetings at Manchester and Leeds.—Female Reformers.—Meeting at Glasgow.—Second Meeting at Leeds.—Circular Letter of Lord Sidmouth.—Meeting for choosing a Representative at Birmingham.—Resolutions of the Lancashire and Cheshire Magistrates.—Proclamation against Sedition.—Mr. Hunt at Manchester.—Reform Meeting there.—Its Dispersal by the Military.—Thanks of the Prince Regent.—Proceedings against Mr. Hunt and others.—Other Reform Meetings.—Riots at Paisley.—Subscriptions for Manchester Sufferers.—Conduct of the Grand Jury.—Address of the Corporation of London.—Prince Regent's Answer.—Other Addresses.—Meeting at York.—Dismissal of Earl Fitzwilliam.—Loyal Addresses.—Associations for raising Yeomanry.—Inquest on John Lees.

THE principal domestic events of the present year are intimately connected with the movements of a set of men, who have received the name of Radical Reformers; of which we shall lay a detailed account before our readers. Early in the year, application was made to the borough-reeve and constables of Manchester, to summon a public meeting in that town for the purpose of petitioning parliament for the repeal of the corn bill; and on their refusal, an anonymous advertisement fixed the meeting for January 18th. Mr. Hunt was invited to preside, and was met by a great multitude, and conducted into the town in a kind of triumph. Several flags were displayed before him, bearing the mottoes—"Hunt and Liberty;" "Rights of Man;" "Universal Suffrage;" "No Corn Laws." In his harangue at the meeting, the orator treated with contempt the idea of petitioning that House of

Commons which, when last assembled, had "kicked their prayers and petitions out of doors;" and he asked his audience, whether they would "come forward, as men and Englishmen, and claim their rights?" A remonstrance to the Prince Regent was then adopted, in lieu of a petition to parliament; and after listening to the speeches of some Manchester reformers, the meeting peaceably dispersed.

In the month of June many meetings were held by the distressed manufacturers, especially at Glasgow, at Leeds, and at Ashton-under-line. These assemblages were extremely numerous, that on Hunslet-moor, near Leeds, being estimated (but probably with great exaggeration) at 35,000. Not the slightest breach of the peace occurred on any of these occasions, for the leaders were strenuous in their exhortations to the people to preserve an inoffensive demeanor; and

and it was well known, that active measures had been taken by the magistrates to resist any tendency to riot. The harangues of the leaders, however, were sufficiently inflammatory; from statements of the distresses of the manufacturing poor, these speakers proceeded to an explanation of their causes, which were stated to be, excessive taxation, places, pensions, and generally the usurpations of the rich upon the poor. The remedies suggested were, annual parliaments and universal suffrage, the present representation being declared a mere mockery. At Ashton-under-line an approaching meeting at Stockport was announced; and it was resolved, that means should be taken for establishing a regular communication from one extremity of the kingdom to the other. A spirit of hostility to the clergy was manifested in some instances, and religion itself was treated, by one of the speakers at Leeds, with a tone of irony and contempt which offended many of the auditors. The persons who summoned the Stockport meeting, on the refusal of the magistrate, declared one object of it to be, to decide whether or not the people possess the power of destroying the Bank. An entirely novel and truly portentous circumstance was, the formation of a *Female Reform Society* at Blackburn, near Manchester, from which circular letters were issued, inviting the wives and daughters of workmen in different branches of manufacture, to form *sister societies*, for the purpose of co-operating with the men, and of instilling into the minds of their children,

"a deep-rooted hatred of our tyrannical rulers." A deputation from this society attended the Blackburn reform meeting, and, mounting the scaffold, presented a cap of liberty and an address to the assembly. The example of these females was successfully recommended to imitation by the orators at other meetings.

These political assemblies proved so attractive to the manufacturing classes, under the irritation produced by low wages and a deficiency of employment, that the spirit rapidly diffused itself through the counties of York, Lancaster, Chester, Nottingham, and Leicester; and gaining at length the important town of Birmingham, where a great mass of distress and consequent discontent was existing, ready to be operated upon, the leaders of the faction were emboldened to propose a measure of a more decisive character than any yet attempted. At a public meeting holden on July 12, on an open space adjoining to this town, at which not less than 15,000 persons were supposed to be present, the managers, after reading a letter from Sir Charles Wolseley, bart. of Staffordshire, excusing his necessary absence on this occasion, proposed that the same Sir Charles should be sent up to parliament as "legislatorial attorney and representative of Birmingham." The movers stated, that the issuing of a writ being *compulsory*, they had not awaited the form of the mandate, but anticipated the right. The privilege constitutionally belonged to them, and they were fulfilling the duty of good subjects in proceeding to advise the sovereign

GENERAL HISTORY. [103]

sovereign by their representatives. The baronet was then elected, according to regular form, by an immense show of hands, and amid the thundering acclamations of the concurring multitude. A remonstrance was read, which the new elected member was to present to parliament, and a deputation was appointed to carry to him the instructions of his constituents. Sir Charles Wolseley in return pledged himself to claim his seat in the House of Commons.

The people of Leeds animated by the example, or actuated by the same councils, resolved, at a meeting holden a few days subsequently, that as soon as an eligible person could be found to accept their representation an election should take place. About the same time, Mr. Hunt and his associates announced a meeting in Smithfield, which passed off without the least disturbance. The attention of government was now thoroughly awakened to the character of these proceedings, and it was determined that a check should in the first instance be given to the unbounded license of speech in which the popular orators believed themselves authorized to indulge. Sir Charles Wolseley was arrested at his own residence, carried to Knutsford, and compelled to give bail for his appearance to answer for seditious words spoken by him at a public meeting at Stockport; on a similar charge, one Harrison, was seized on the hustings during the meeting at Smithfield, and conveyed back into Cheshire. True bills for sedition were found against others

of the same stamp. Circular letters were also forwarded on July 7th, by the secretary for the home department to the lord-lieutenants of the *disturbed counties*, as they began to be entitled, recommending prompt and effectual means for the preservation of the public tranquillity; especially vigilance and activity on the part of magistrates, and, as a measure of precaution, directions to be given to the yeomanry of the county to hold themselves in readiness.

An atrocious attempt on the life of Birch, the police officer, by whom both Sir Charles Wolseley and Harrison had been taken into custody, was met by a proclamation with a high reward for the discovery of the offender, dated July 26th, and on the 30th of the same month a proclamation was issued against seditious meetings (See Public Papers). Undeterred by these symptoms of activity on the part of government, the Manchester reformists ventured to placard a notice of a meeting to be holden for the purpose of choosing a parliamentary representative for that town; but being informed that the magistrates would not permit an assemblage of the people for a purpose clearly illegal, they relinquished this design, but soon after advertised a meeting for an object, the legality of which was fully acknowledged, that of petitioning for a reform of parliament.

The adjournment of the preceding meeting, the considerable interval of preparation which had been allowed; a vague feeling perhaps, that such assemblages would

would not much longer be permitted,—all conspired to render the concourse great beyond all former example. A little before noon on the 16th of August, the first body of reformers began to arrive on the scene of action, which was a piece of ground called St. Peter's field, adjoining a church of that name in the town of Manchester. These persons bore two banners, surmounted with caps of liberty, and bearing the inscriptions—"No Corn Laws," "Annual Parliaments," "Universal Suffrage," "Vote by Ballot." Some of these flags, after being paraded round the field, were planted in the cart on which the speakers stood; but others remained in different parts of the crowd. Numerous large bodies of reformers continued to arrive from the towns in the neighbourhood of Manchester till about one o'clock, all preceded by flags, and many of them in regular marching order, five deep. Two clubs of female reformers advanced, one of them numbering more than 150 members, and bearing a white silk banner. One body of reformers timed their steps to the sound of a bugle with much of a disciplined air: another had assumed to itself the motto of the illustrious Wallace, "God armeth the Patriot." A band of special constables assumed a position on the field without resistance. The congregated multitude now amounted to a number roundly computed at 80,000, and the arrival of the hero of the day was impatiently expected. At length Mr. Hunt made his appearance, and after a

rapturous greeting, was invited to preside: he signified his assent, and mounting a scaffolding, began to harangue his admirers. He had not proceeded far, when the appearance of the yeomanry cavalry advancing towards the area in a brisk trot, excited a panic in the outskirts of the meeting. They entered the inclosure, and after pausing a moment to recover their disordered ranks, and breathe their horses, they drew their swords, and brandished them fiercely in the air. The multitude, by the direction of their leaders, gave three cheers, to show that they were undaunted by this intrusion, and the orator had just resumed his speech to assure the people that this was only a trick to disturb the meeting, and to exhort them to stand firm, when the cavalry dashed into the crowd, making for the cart on which the speakers were placed. The multitude offered no resistance, they fell back on all sides. The commanding officer then approaching Mr. Hunt, and brandishing his sword, told him that he was his prisoner. Mr. Hunt, after enjoining the people to tranquillity, said, that he would readily surrender to any civil officer on showing his warrant, and Mr. Nadin, the principal police officer, received him in charge. Another person, named Johnson, was likewise apprehended, and a few of the mob; some others against whom there were warrants, escaped in the crowd. A cry now arose among the military of, "Have at their flags," and they dashed down not only those in the cart, but the others.

GENERAL HISTORY. [107

dispersed in the field; to right and left to get at

The people began running in all directions; and from this it was seen that the yeomanry lost all and of temper: numbers were trampled under the feet of mad horses; many, both men and women were cut down by the sabres; several, and a peace officer and a female in the number, were killed on the spot. The whole number of persons injured amounted to between three and four hundred. The populace threw a few stones and brick bats in their retreat; but in less than five minutes the ground was encircled of its former occupancy, and filled by various bodies of military, both horse and foot. Hunt was led to prison, not without incurring considerable loss, and some injury on his person from the swords of yeomanry and the bludgeons of police; the broken staves of his banners were carried in a black procession before him. Magistrates directed him to be locked up in a solitary cell, while the other prisoners were crowded with the same prison.

The town was brought into a comparatively quiet state before night, military patrols being stationed at the end of almost every street. The next day the Manchester Free Press published a placard, denouncing as illegal the practice of military training, which they stated to have been carried on by large bodies of men within a hundred of Salford, in connection with seditious and treasonable purposes. The united magistrates of Lancashire and

Cheshire also thought good to return thanks to the commanders, officers, and men of all the corps who had taken part in the actions of the day; particularly expressing their gratification at "the extreme forbearance exercised by the yeomanry when insulted and defied by the rioters."

Coroners' inquests were held on the bodies of those who lost their lives by the furious assault of the cavalry; but the verdicts of the juries were such as could lead to no judicial proceedings.—Some were, "accidental death;" another, on a child, "died by a fall from his mother's arms;" a third, "died by the pressure of the military, being under the civil power."

The return of a dispatch sent to London, brought to sir John Byng, commander of the district, a letter from viscount Sidmouth, stating that his lordship had laid before the prince regent a letter addressed to himself (lord S.), and that it was with great satisfaction he obeyed the commands of his royal highness by requesting that he would express to lieutenant-col. L'Estrange, and to the officers, non-commissioned officers, and privates, who served under his command at Manchester, on the 16th of August, his royal highness's high approbation of the exemplary manner in which they assisted and supported the civil power of the county palatine of Lancaster on that day. On August 27th, Hunt and his fellow-prisoners were brought up for final examination, when they were thus addressed by Mr. Norris the chairman: "When you were last called up into

into this court, you were remanded on a charge of high treason. On remanding you, you were informed that the whole of the evidence had been sent up to London, to be laid before the law officers of the crown, and in the mean time you were to be detained. It was not until this morning that a communication was made from government, stating that the law officers of the crown had for the present abandoned the higher charge. The communication was not made to me; but there is a gentleman present, Mr. Bouchier, who has come with orders to proceed upon a less charge. The charge of high treason is not yet abandoned, but government proceeds against you for a minor offence."

After this notification, the examination of witnesses began, in presence of a crowded auditory, by whom the most lively interest was taken in the event. We cannot follow the detail of these proceedings, in which however many incidents occurred strikingly indicative of the spirit of party. On its conclusion, the chairman dismissed the prisoners, saying, "You may all have bail." They were afterwards again summoned into court, when he thus again addressed them: "Henry Hunt and you all: we sent for Mr. Bouchier in order that we might again carefully peruse the depositions. It is a most painful duty to me to commit you for a conspiracy. We can, however, lay our hands on our hearts and say, 'We have done our duty.' As to the charge of conspiracy, though you might not have been all together pre-

vious to the meeting, yet in the eye of the law, all those who commit separate acts, tending to one illegal object, are guilty of that crime. Coupling the two meetings together, taking into consideration the manner in which the last was assembled, with such insignia and in such a manner, with the *black flag*, the *bloody dagger*, with *Equal representation or death*, you came in a threatening manner—you came under the banners of death, thereby showing you meant to overturn the government. There could be no free discussion where that flag was unfurled. The charge now is "that of having conspired to alter the law by force and threats." It is an illegal matter, and sufficiently made out, and calls upon us imperatively to commit you for trial by a proper jury. It is now our painful duty to commit you to Lancaster-castle. On account of the seriousness of the charge, we shall require you, Henry Hunt and Joseph Johnson, to give bail yourselves in 1,000*l.* and two sureties in 500*l.* each; and all the others, themselves in 500*l.* and two sureties in 250*l.* each.

The prisoners then left the bar. Hunt, after consulting his solicitor, Mr. Pearson, and saying that he would not give bail, even though no more than a farthing was required, was sent off to Lancaster, the assizes for which were just approaching, at six o'clock in the evening, in a coach, under the guard of a troop of thirty of the 15th of Hussars. Presently after their departure, bail was offered for Hunt and another person, but the magistrates declined

GENERAL HISTORY. 100

accept, it till twelve
he next day, when they
l, and a special mes-
was dispatched to Lan-
here he arrived in the
ning, and liberated Hunt
lit. As they approached
ter, the procession which
upon them kept in-
like a rolling snowball,
withstanding the wetness
day, the streets were
and thousands of both
accompanied their hero,
the car with their ac-
sa.

agical event of the Man-
meeting, did not put a
similar assemblages, of
notice had been given
neighbourhood of Leeds
r manufacturing towns;
he conduct of the yeo-
nd magistrates of Man-
was commented upon in
f vehement and fearless
, and every art was em-
o rouse to the highest
and indignation of the
a. The orators appeared
mourning; the flags were
ted with crape; one of
hibited a yeoman cutting
man with his sabre, and
"Vengeance" was ob-
a another. At a meeting
agham where sir Charles
y appeared, a kind of
procession was exhibited.

smallest disposition to
never appeared on any
occasions, and the con-
multitudes dispersed in
hilst the magistrates con-
vened themselves with remaining
rs of these extraordinary
A very moderate attempt
rence on the part of the

constituted authorities of Paisley
produced opposite and highly dis-
graceful results.

A meeting on Micklebrig-
muir, near Paisley, having been
advertised for September 11th,
the sheriff of Renfrew and pro-
vost and magistrates of Paisley,
issued a proclamation declaring
against the avowed intention of
bands of persons from different
parts on going to and from such
meeting, to parade the town and
suburbs of Paisley "with flags
and devices of a political and in-
flammatory nature;" and warned
all who should take part in such
"illegal" proceedings, that they
should be made responsible for
their conduct. This notification
was utterly disregarded by the
reformers, who, after the meet-
ing, came marching in great force,
with music sounding and flags
flying through the high street of
Paisley. The magistrates caused
the colours to be seized, and in
consequence a violent disturbance
began: lamps and windows were
broken, and special constables
maltreated. The sheriff, the pro-
vost and magistrates, who went
among the mob to advise them
to disperse, were assaulted with
stones; and it was not till a late
hour that order was restored by
the reading of the riot act, and
the apprehension of about twenty
of the ring-leaders. Similar out-
rages were renewed during several
following days, in which several
houses were gutted, many per-
sons abused, and some robbed,
by the plunderers, who took ad-
vantage of the occasion. After
considerable forbearance, as well
as exertion on the part of the
civil power, some cavalry were
sent

sent for from Glasgow, by whom the streets were repeatedly cleared. By such means the spirit of outrage was at length subdued, and fortunately without the loss of a single life, though many persons were severely wounded; some by the mob, and some by the soldiers.

A subscription was opened in London and Liverpool for the purpose both of relieving the sufferings of persons wounded and injured at Manchester, and of defraying such expenses as might be incurred in obtaining legal redress for the assaults committed, and proper persons were sent down by the committee to examine into the matters of fact and direct the measures to be pursued. In consequence of these investigations, several bills were presented to the grand jury at Lancaster, against individuals belonging to the Manchester yeomanry, for cutting and maiming with intent to kill in St. Peter's field on the 16th of August. But all such bills were thrown out by the grand jury, and their example was openly pleaded by the magistrates of Manchester for refusing to commit on any of the charges connected with the transactions of that day, which were afterwards submitted to their examination.

True bills were found by the grand jury at Manchester against Messrs. Hunt, Johnson, Moorhouse, and seven others, for a conspiracy; the persons accused all traversed to the next assizes.

On September 9th, a meeting of the common council of London was holden, pursuant to notice, for the purpose of considering the

late transactions at Manchester, and the steps to be taken in consequence; when, after debates, the following resolutions were carried by a majority of 45:

"Resolved, That under the principles of the British constitution, it is the undoubted right of Englishmen to assemble together for the purpose of discussing upon public grievances, as well as on the legal and constitutional means of obtaining redress."

That, for the exercise of this right, a meeting was held at Manchester on the 16th of August last, and, without entering into the policy or prudence of convening such assembly, it was shewn to us, from the information which has transpired, that the meeting was legally assembled, its proceedings were conducted in an orderly and peaceable manner; and that the people proposing it were therefore acting under the sanction of the law, and entitled to the protection of the magistrates.

"That we have, nevertheless, learnt with grief and regret, that while the meeting was so assembled, and when a riot or tumult had taken place, the magistrates issued warrants for the apprehension of persons then present, the execution of which, although resistance was made on the part of the people, or those to whom the warrants were directed, they immediately resorted to the aid of the military; when, without any previous warning or intimation, the Manchester yeomanry Cavalry, suddenly marching forward, opened a

GENERAL HISTORY. [111]

multitude, furnished by force of arms, peace-offending citizens, great numbers of men, and children, and even women, were indiscriminately rode over, abundantly sabred and

we feel ourselves called upon to press our strongest interest in these unprovoked and separate proceedings, cannot but view as painful to the character of the British constitution

from the known and detachment of his royal highness the Prince Regent to the laws, we most decided conviction that your Highness never been induced to express approval of the conduct of the perpetrators and perpetrators of atrocities, had not his highness been abused by misrepresented statements of these illegal and fatal

at a time when the great anxiety of his subjects are under the severest privations, however erroneous may be as to the means of relief, and kind and conciliating of their complaints is needed for by policy and that depriving them of expressing their views by cruelty and despotism only tend to increase their discontents, destroy confidence in the pure administration of justice, disaffection, and lead

to acts of open violence or secret revenge.

"That, in order to avert these calamities—to maintain the authority of the law—and to protect the lives and liberties of the subject—an humble and dutiful Address be presented by this Court to his royal highness the Prince Regent, praying his royal highness will be graciously pleased to institute an immediate and effectual inquiry into the outrages that have been committed, and to cause the guilty perpetrators thereof to be brought to signal and condign punishment."

An address founded on these resolutions was accordingly drawn up and presented to the Prince Regent, to which his royal highness was pleased to return the following answer:

"I receive with feelings of deep regret this address and petition of the lord-mayor, aldermen, and commons of the city of London, in common council assembled.

"At a time when ill-designing and turbulent men are actively engaged in inflaming the minds of their fellow-subjects, and endeavouring by means the most daring and insidious to alienate them from their allegiance to his majesty and the established constitution of the realm, it is on the vigilance and conduct of the magistrates that the preservation of the public tranquillity must in a great degree depend; and a firm, faithful, and active discharge of their duty cannot but give them the strongest claim to the support and approbation of their sovereign and their country.

"With the circumstances which preceded

112] ANNUAL REGISTER, 1819.

preceded the late meeting at Manchester, you must be unacquainted; and of those which attended it, you appear to have been incorrectly informed.

"If, however, the laws were really violated on that occasion, by those to whom it immediately belonged to assist in the execution of them, the tribunals of this country are open to afford redress; but to institute an extrajudicial inquiry, under such circumstances as the present, would be manifestly inconsistent with the clearest principles of public justice."

The example thus given by the metropolis was quickly followed by the city of Norwich, where in a numerous meeting of the inhabitants, authorized by the mayor, resolutions of the like import were carried, with the addition of a petition to his royal highness, to dismiss for ever from his councils, those ministers by whom the name of his royal highness had been connected with the "masacre" at Manchester.

In the cities of Westminster, York, and Bristol, the towns of Liverpool and Nottingham, and many others, meetings were held and addresses prepared on the same subject; some simply calling for inquiry, others passing a strong censure on the conduct of the Manchester authorities, and on the ministry by whom the royal sanction had been given to such illegal acts of violence. The refusal of the lord mayor of London to call a common hall, on the requisition of a great number of the livery, for the purpose of considering the same subject, drew from the parties who regarded themselves as aggrieved

by his conduct, the following remonstrance, which was read to his lordship by a deputation.

"To the Right Hon. the Lord Mayor of the City of London.

"My Lord,—We, the undersigned liverymen of London, respectfully beg leave to expostulate with your lordship on your refusal to call a common-hall, to take into consideration the late violation of the law at Manchester, although a requisition was presented to your lordship, signed by nearly 100 of the livery of London, who were desirous of giving expression to their sentiments on transactions too momentous to be passed over in silence—too mournful to allow of those sentiments being suppressed by any authority whatever, and least of all by that of your lordship, who, by virtue of your office, are bound to protect and give effect to the rights, liberties, and privileges of the livery of London.

"That the livery of London possess the right, which they have exercised from time immemorial, of expressing their opinion on public affairs, in common hall, it is superfluous to remind your lordship; but should that right ever become subject to control from the political opinions or private views of the lord mayor for the time being, it would cease to exist in any thing but name.

"That the subject, for the consideration of which the requisition of the livery was presented to your lordship, was suited to public consideration, is manifest from your lordship's having held
a court

a court of common council for its discussion. That your lordship's refusal cannot have been dictated by an anxious and over-scrupulous regard for the preservation of the public peace, is apparent from the knowledge your lordship must possess, that where the magistrates have presumed to deprive their fellow-citizens of the means of meeting in that orderly and convenient way provided by their municipal constitutions, they have uniformly assembled together under circumstances less favourable to the maintenance of the public peace.

"Unwilling as we are, my lord, to put any unfavourable construction on the conduct or motives of the chief magistrate of the city, we confess ourselves unable to interpret your lordship's rejection of a requisition for a common-hall, on so important an occasion, in any way which shall not imply an indifference to, or contempt of, the wishes and opinions of the livery, by whom you were appointed to your high office.

"Resolved, however, as we are, not to surrender the rights of the livery of London, we venture respectfully, yet firmly, to request your lordship to reconsider your answer, and to appoint an early day for the holding of a common hall, in compliance with the requisition presented to your lordship on the 1st instant.

"Dated Sept. 16."

The persistance of the lord mayor in his refusal, led to a scene of much turbulence at the common hall holden on Michaelmas day for the election of a new lord mayor; and actions at law

Vol. LXI.

are still pending which arose out of the transactions of that day.

A very numerous and highly respectable meeting of the freeholders of the county of York was held at York, in consequence of a requisition to the high sheriff, signed by the duke of Norfolk, by earl Fitzwilliam, lord-lieutenant of the West-riding, and many other noblemen and gentlemen of the first importance. This assemblage was computed at not less than 20,000 persons. Several bands of reformers, with their usual insignia, were on the ground; but it is worthy of remark, that they left the whole business of the day to be conducted by the noblemen and gentlemen who had come forward to summon the meeting, and by whom several very animated speeches were addressed to the assembled multitudes. The resolutions passed expressed no opinion on the occurrences at Manchester, but demanded an inquiry. In consequence of the part which he had taken in this public meeting, earl Fitzwilliam immediately received from the prince regent his dismissal from the office of lord-lieutenant of the West-riding of Yorkshire; a circumstance which excited a strong sensation, and procured for the earl many testimonies of the reverence and attachment of his neighbours. The requisitions addressed to the sheriffs of other counties, particularly Northumberland, Cumberland, Westmorland, Durham, Cornwall, Norfolk, and Berkshire, for the convening of meetings to consider of the Manchester transactions, were not in all instances attended with

[1]

the

the same success, though considerable numbers assembled in all these counties under private auspices to express their sentiments. On the other hand, loyal addresses were forwarded from different meetings; and in several towns of the north of England, and of Scotland, noblemen and gentlemen attached to government associated for the purpose of raising troops of yeomanry in aid of the civil power.

Meantime, the progress of a coroner's inquest on the body of one John Lees, who died in consequence of sabre cuts and other injuries received at the Manchester meeting of August 16th, was viewed with anxious attention, as it was believed that its result would afford an important decision on the legal character of that day's proceedings. Much delay occurred in the commencement of this examination by the absence of the coroner from the post of duty and the refusal of others to act in his stead, and it was afterwards prolonged to an extent quite unexampled, partly by the multitude of witnesses brought forward, and partly by the frequent adjournments which the coroner thought proper to interpose. It was the aim of the solicitor who conducted the examination in behalf of the next of kin of the deceased, to prove the peaceful character of the meeting, and the unwarrantable nature of the military attack. On the other side, efforts were made to show that previous acts of violence on the part of the multitude, and the reading of the riot act, had justified this attack, and exonerated from legal criminality those concerned in it. At

length the coroner stated, that for reasons which he did not choose to assign, the inquest should be further adjourned to the beginning of the month of December. Before this period arrived, the case being referred to the court of King's-bench, the whole proceedings had in this inquest were declared null and void by the irregularity of the coroner himself, who had neglected to view the body in presence of the jury, as by law required; and the court in consequence directed that *no verdict* should be returned.

The alarm of government was manifested by a notice, dated Oct. 29th, on the part of the commissioners of Chelsea hospital, by which all able-bodied pensioners were directed to attend at the times and places therein specified, in order to their being formed into a veteran or garrison battalion. By the operation of this measure, ten or eleven thousand men were added to the effective military force of the country.

The following remarkable circular also emanated from the home department:

Whitehall, Nov. 6.

My Lord,—Having been informed that there are laying about throughout the kingdom, especially in the maritime parts of it, a great number of cannon, which are private property, a considerable part of which were formerly used in merchants' ships, I beg leave to call your lordship's attention to this subject; and to request that you will direct the magistrates of the county under your lordship's charge, to make the necessary inquiries

GENERAL HISTORY. [116

inquiries within their respective districts, and if any guns of this description should be found therein, that they will cause immediate steps to be taken, with the consent of their owners, for rendering them useless, or for removing them to a place of security.—I have the honour to be,
Ac. &c. **SIDMOUTH.**

H. M. Lieutenant of ———

In the agitation of the public mind which all these circumstances were calculated to excite, the meeting of parliament was impatiently anticipated both by the supporters and the opponents of the administration, and it was summoned to assemble for dispatch of business on Tuesday Nov. 23rd.

CHAPTER VIII.

Prince Regent's Speech.—Amendment to the Address in the House of Lords.—Amendment in the House of Commons.—Documents of State of the Country.—Traverse Bill in the House of Lords.—Legislative Measures proposed in the House of Lords.—The same in the Commons.—Motion for Inquiry into the State of the Nation in the House of Lords.—The same in the Commons.—Navy Estimate.—Training Bill, and Search for Arms Bill.—House of Lords.—Test against Search for Arms Bill.

THE session of parliament was opened on November 23rd, by the Prince Regent in person, with the following Speech:

“My Lords and Gentlemen;

“It is with great concern that I am again obliged to announce to you the continuance of his Majesty’s lamented indisposition.

“I regret to have been under the necessity of calling you together at this period of the year; but the seditious practices so long prevalent in some of the manufacturing districts of the country, have been continued with increased activity since you were last assembled in parliament.

“They have led to proceedings incompatible with the public tranquillity, and with the peaceful habits of the industrious classes of the community; and a spirit is now fully manifested, utterly hostile to the constitution of this kingdom, and aiming not only at the change of those political institutions which have hitherto constituted the pride and security of this country, but at the subversion of the rights of property, and of all order in society.

“I have given directions that the necessary information on this subject shall be laid before you, and I feel it to be my indispensable duty, to press on your immediate attention the consideration of such measures as may be requisite for the counteraction and suppression of a system which, if not effectually checked, must bring confusion and ruin on the nation.

“Gentlemen of the House of Commons;

“The estimates for the ensuing year will be laid before you.

“The necessity of affording protection to the lives and property of his Majesty’s loyal subjects has compelled me to make some addition to our military force; but I have no doubt you will be of opinion that the arrangements for this purpose have been effected in the manner most likely to be the least burthensome to the country.

“Although the revenue has undergone some fluctuation since the close of the last session of parliament, I have the satisfaction of being able to inform you

GENERAL HISTORY. [117

ears to be again in a course of aggressive improvement.

Some depression still continues to exist in certain branches of manufactures, and I deeply regret the distress which is in consequence felt by those who immediately depend upon it; but this depression is in a measure to be ascribed to the embarrassed situation of other countries; and I earnestly hope it will be found to be of a temporary nature.

My Lords and Gentlemen; I continue to receive from my powers the strongest assurances of their friendly disposition towards this country.

It is my most anxious wish, that advantage should be taken of a season of peace to secure the advance of our internal prosperity; but the successful prosecution of this object must essentially depend on the preservation of domestic tranquillity.

Upon the loyalty of the great body of the people I have the most confident reliance; but it will require your utmost vigilance and union, collectively and individually, to check the dissemination of the doctrines of treason and impiety, and to impress upon the minds of all classes of his Majesty's subjects, that it is from the cultivation of the principles of religion, and from a just subordination to lawful authority, we can alone expect the continuance of that Divine favour and protection which have hitherto so signally experienced in this kingdom."

After an address in correspondence with the speech had been moved in the House of

Lords by earl Mansfield, and seconded by lord Churchill, *Earl Grey* rose to address the House. He said, that had he not been aware of the state of the country, the speech from the throne, the address moved in reply, and the language of the noble mover and seconder, would be sufficient to convince him that parliament had never assembled at a more important crisis, or when greater difficulties and dangers were to be overcome. He did not however think the line of policy pointed out in the speech such as ought to be adopted in the present state of the country, to which he had attended with the greatest care. He had heard strong observations on the progress of sedition and treason, and the necessity of adopting measures of coercion, but no recommendation to avert the danger by relieving the people from the heavy burthens that pressed upon them. It was by a timely system of economy and reform that the threatened dangers would most effectually be met.

His lordship fully allowed the necessity of resisting plans of innovation described as destructive of the laws and constitution; but while opposing one danger, let care be taken not to incur another. The noble mover of the address had warned the House not to let an anxiety for the security of liberty lead to a compromise of the safety of the state. He, for his part, could not separate those things. The safety of the state could only be found in the protection of the liberties of the people; whatever was destructive of the latter, destroyed

stroyed also the former. He warned their lordships, in supporting the authority of government, not to sanction any precedent hostile to public liberty, and therefore to the safety of the state. Where discontent generally prevailed, there must be much distress, and it was an axiom no less true, that there never was an extensive discontent without misgovernment. Two years ago, when a similar subject was under their lordships' consideration, a noble friend of his (marquis Wellesley) had quoted the opinion of lord Bacon, that the surest way to prevent seditions is, to take away the matter of them, and in the spirit of this maxim had recommended the reduction of public expenditure, and especially of our great and unnecessary military establishment. Had this recommendation been attended to? No; profusion was obstinately maintained, as if the continuance of every abuse were necessary to the safety of the state. Not only was no efficient measure of reduction adopted, but additions were made to the expenditure, which no public principle justified. He had in vain opposed some of those measures which had proved most injurious to the character of parliament, and to that of the family on the throne. After this denial of justice—for to refuse a relief so necessary to the country was a denial of justice—the session was closed, in a manner most insulting to the distresses of the country, by the imposition of 3,000,000*l.* of new taxes. When no attention was paid to the calls of the people for relief, when their peti-

tions were rejected, and their sufferings aggravated, was it wonderful that at last public discontent should assume a more menacing aspect?

The noble lord then adverted to the transactions at Manchester—he was willing, he said, to suspend his judgment on the conduct of the magistrates till further information should be before parliament, but he condemned severely the precipitancy with which their behaviour had been approved by those very persons who deprecated the judging of the question in a flippant and impertinent manner which had been given to the people of London. He next adverted to the removal of earl Fitzwilliam—a man who had been distinguished by his public and constant support of the crown in every trying difficulty—a man of high rank, extensive influence, and princely possessions—a man beloved and esteemed—a man properly described in resolutions which had lately been passed from his particular situation, as affording security to the government and firmness and confidence to the people; when a man was peculiarly marked out and devoted, in a season of such difficulty as the present, what confidence could exist in the ministers by whom such conduct could be sanctioned, what hope remained for the distressed people of this country? He would now call the attention of their lordships to that part of his speech from the throne which referred to the addition of 10,000 to 11,000 men to the regular troops. He certainly

doubts of the legality of this without the sanction of parliament; but he would neither do this nor on the prudence of the national burthen an expense of from 2 to 300,000: he would simply object that this was another of those measures which had retarded the progress of the improvement, and which was accompanied with a single view of concession to keep the spirit of discontent that lately prevailed. After the delivery of other remarks, the Lord moved an amendment, which was in substance as fol-

low: "To assure his royal highness the Prince Regent, that while we lament the unexampled distress which exists, we shall take as our most serious consideration the various matters contained in the Royal Highness's most gracious speech. That it is impossible to express approbation of the attempts which were made to enable the people to seek relief from the distresses under which they labour by means dangerous to the public tranquillity, inconsistent with the security of the community; and that it is our duty, as well as our determination, to adopt measures for the prevention of those attempts. That we humbly represent to the Royal Highness, while we declare our determination to do all in our power to support the law, we feel bound by a sense of duty to the people that their complaints shall at all times receive the attention which is indispensable to their safety.

That this seems to us peculiarly necessary at this period, in order to create a confidence in the public mind, that they have a sufficient safeguard in the laws of the land against all encroachment on their just rights.

"That we have seen with deep regret the events which took place at Manchester on the 16th of August; and without pronouncing any opinion on the circumstances which occurred on that melancholy occasion, that we feel it demands our most serious attention and deliberate inquiry, in order to dispel all those feelings to which it has given birth, and to show that the measures then resorted to, were the result of urgent and unavoidable necessity—that they were justified by the constitution, and that the lives of his Majesty's subjects cannot be sacrificed with impunity."

Lord Sidmouth regarded himself as peculiarly called upon to advert to the manner in which the noble earl had alluded to late events involving the responsibility which chiefly attached to himself. Respecting the transactions at Manchester, he said, that never was there an event publicly interesting respecting which so much misrepresentation, falsehood, and exaggeration had gone forth. He contended that all presumptions ought to be in favour both of the magistrates and yeomanry. The meeting, he would boldly take upon him to assert, was not only illegal, but treasonable. The magistrates would have acted not only unwisely, but unjustly and basely, had they done otherwise than they did; the letter of approbation was sanctioned by a cabinet council, and

and

and he, for his part, did not shrink from any part of the responsibility incurred. He entered shortly into the transactions of the 16th, and described the hostile conduct of the populace towards the constables and authorities both before and after. Campbell a constable had been stoned to death in open day in the streets of Manchester, and the constable of the town thought his life in danger. This system of hostility was not confined to Manchester; it appeared at Newcastle and in other places. He affirmed that not a single life was lost in consequence of the blows of the military. On this subject he would dwell no longer at present: the danger with which we were threatened from the discontented state of the public mind was generally admitted, and its magnitude should induce their lordships to unite in vigorous measures to avert it. If, in the character of that danger, there was any feature more alarming than another, it was the conduct of some persons who encouraged and emboldened the disaffected, by standing between the government they assailed and the party assailing. Respecting the dismissal of earl Fitzwilliam, his lordship remarked, that the different view taken by that noble lord, and his majesty's ministers of the state of the country, and the public declaration which he signed in opposition to their wishes, showed that all confidence between them and him had ceased, and that a separation had become indispensable.

Several other lords delivered their opinions. *Lord Erskine*

strongly urged the need of conciliation on the part of government, and of parliamentary inquiry into the conduct of the magistrates of Manchester. He firmly maintained the legality of the meeting, and the positive character of the measures taken to disperse it.

Ready, he said, to admit that there might be meetings for an avowed object, being the protection of property or the execution of some other illegal act, he rendered every man a martyr for its dispersion. But the meeting at Manchester was not of this complexion. It had no other object; and to show that it was an intention of violence, the measures attended it brought the women and children along with them, which they would not have done had they conceived any other object, or imagined they were engaged in themselves to punish a breach of the laws. They might have become more numerous; what then? why the magistrates might have invoked the Riot Act, and dispersed the assembly. The Riot Act might have been invoked, but the House had not done so, nor had their lordships before the hour had elapsed been in a position to employ the military were employed. If it had been the case, even if it remained on the field, it might have been a felon; but even if he was not to be cut down by the military, or condemned without a trial. Had a summary execution been just, the refractory, ought we to have children to have been upon, wounded, or killed in the House, after such transactions ought to grant inquiry to

entry that their lordships determined to support the old privileges of the people, this was the object of the present. Government might expect to restrain the discontent which they did not try to remove, but such an employment of military against the people only render it unpopular, inefficient for the purposes which it was intended. In being supported in the affections, and enjoying length which arose from a regulated liberty, we should see nothing around us but mild military despotism. To any necessity for such measures Parliament convince the people that it overlook their distresses and advances. Would the House act by refraining from in the mere declaration of that they possessed par-information hitherto undid? His noble friend (lord had shown, that inquiry a prejudging of the guilt of any individuals; remembered a time when it was less scrupulous on subject of prejudging. He to the State Trials in when the very case against coroners was made out of parts of the two Houses of parliament. Now, therefore, it might be said that we had no right to inquire. But it might be said, that there was in making any concessions demands of the people. Any reverse would happen in case—inquiry would re-anger by leading to con-

The *Lord Chancellor* opposed any parliamentary inquiry respecting the late affairs, as inconsistent with the spirit of the laws. When he read in his law books that numbers constituted force, and force terror, and terror illegality, he felt that no man could say that the Manchester meeting was not an illegal one. It was complained, he said, that not only had the grand jury rejected bills, but that the magistrates had refused to receive information on oath. This latter conduct was either right or wrong. If right, why complain about it? if wrong, why interfere with measures already under consideration in the court of King's-bench? Another ground of complaint was the conduct of the coroner in adjourning an inquest. But what was the fact? The coroner alleges that the jury have been tampered with, and that there is a fear that the jury might give their verdict on evidence not before them on oath. He, therefore, adjourned in order to have the opinion of the court of King's-bench in a matter of such high importance. What was there wrong in this?

The *Marquis of Lansdown* earnestly pleaded for an inquiry, for which, he said, he should move, if no such motion should emanate from government; in the mean time he should support the present amendment.

Lord Liverpool replied to the noble marquis.

The *Marquis of Buckingham* supported the original motion.

On a division, the numbers were: Not-contents—Present, 121; Proxies, 38—159. Contents.

tents—Present, 31; Proxies, 3—
34. Majority against the amend-
ment, 125.

House of Commons, Nov. 23.

After the reading of the speech from the throne, the address was moved by the *Hon. J. Somers Cocks*, and seconded by the *Hon. Edward Cust*.

Mr. Tierney rose, not to object to the address as it stood, but to propose, by way of amendment, an addition imperatively called for, as he conceived, by the condition of the country. No man could feel more deeply than himself the melancholy condition of the country,—no one had heard with more disgust and abhorrence the blasphemous doctrines the further promulgation of which the laws had now suppressed. He did not however believe that the impiety, as some contended, had been widely spread; on the contrary, he did not believe that a nation more pious, more sincerely religious, was to be found on the face of the globe. He had a right to express this confidence the more decidedly, because it had been stated on the other side of the House, and generally allowed, that the piety of the country had so enlarged itself, that the ordinary places of worship were unable to contain it, and it became absolutely necessary to erect a number of new churches.

The political state of the country was very different; dissatisfaction or disaffection, pervaded the manufacturing districts. He was quite ready to admit that if the existing laws were not adequate to remove it, new ones

should be passed. But he believed at present, that nothing but a vigilant exertion of the magistracy, nothing but fairness and firmness on the part of the government was required. But if, on the other hand, the people were taught by facts to believe that the existing law was not fairly administered to all classes, new ones might be necessary,—nay, he would go further and say, he knew not what new laws could be devised which would be effectual in keeping down a people who had no respect for government and the constituted authorities of the land. The hon. gentleman proceeded to trace the evil to what he regarded as its real root—excessive taxation,—and the profusion against which he had long warned ministers in vain; and he affirmed that even in the speech they had just heard, there was what, but that it proceeded from royal lips, he should call a miserable attempt to raise fallacious hopes on the subject of the revenue. He thought it his duty now to speak out on some of the causes of the evils which afflicted the land. His settled conviction was, that there did not exist among the inhabitants of the country that confidence in the House of Commons that might be wished. That conviction did not pervade merely those who, to give every thing a name, had been called Radicals; but it had penetrated much further and much higher; and many of those who wisely condemned the visionary schemes of reform at present afloat, were satisfied that there was something wrong in the state of the representation,

nation could never have
duced to the condition in
now found itself. What
aced it to that condition?
House refused to mi-
ny of the means of car-
war? had it been sparing
tes for national improve-
had it refused to make
s when they were asked
d it resisted the raising of
al troops? or had it, in
bjected to comply with
rest ministers thought fit
? Certainly not. How
d it, then, that in the re-
venue was so deficient;
de was stagnated; that
cks fell; and that the
was to be told that there

law enough to control
or troops enough to
rebellion? How happened
things; and above all,
ld ministers now venture
nd, that new confidence
be reposed in them, for
thus brought the nation
rink of ruin and despair?

]. These were not merely
ions of the Radicals in
meetings, but of sober dis-
men in private societies.
they were unwilling to
an open avowal of their
ats, they entertained them
and parliamentary reform
an gradually working its
years; and it was now
universally admitted that
the mass of the people did
that the present state of
resentation was beneficial

Radicals the hon. gentle-
ieved not to be numerous
dable, and he treated with
the election of a legisla-

torial attorney at Birmingham;
but he strenuously contended
that the present state of society,
—that diffusion of education
which parliament itself had sanc-
tioned, had compelled the House
to submit to all the criticisms
upon its proceedings which men
thought themselves justified by
the facts, and their own know-
ledge in making. If government
thought, that by passing new
laws, by raising new troops, or
by the promulgation of loyal ad-
dresses they could put down the
awakened spirit of the country,
they would find themselves griev-
ously mistaken. Adverting then
to the affairs of Manchester, the
hon. gentleman argued at con-
siderable length on the necessity
of inquiry. He commented with
considerable severity on the con-
duct of government relative to
this business, and especially on
the dismissal of earl Fitzwilliam;
and he ended by proposing, as an
amendment, a resolution by which
the House, while deprecating the
attempts made to inflame the
people, and lead them astray by
means dangerous to the public
quiet, expressed strongly their
regret at the deplorable events
which had occurred, and their
conviction that they ought to be
made the subject of parliamen-
tary investigation.

The *Marquis of Tavistock* dwelt
on the necessity of inquiry into
the late events, of economy, and
of moderate reform, to regain to
that House the confidence of the
people. He must express a hope
that the noble lord would not
attempt to degrade the spirit of
the people by force and coercion,
but would endeavour to conci-
liate

liate it by mild and equitable measures. The exemplary patience which the people had exhibited during the arduous contest of the last 20 years, surely deserved a better return; and he could not help imploring his majesty's ministers to institute a full and fair inquiry into the injuries which the people believed themselves to have received at Manchester, and not to treat them with any unnecessary violence or contempt.

Lord Castlereagh did not feel himself called upon to follow the hon. mover of the amendment through his remarks on the present state of the nation, which he had much undervalued, because the only definite or tangible proposition which he had offered, was that for an inquiry into the transactions at Manchester; and because he should lay before the House to-morrow, in a printed form, the mass of information on which government intended to proceed, and also explain the measures which it had in contemplation to propose. On the Manchester business, however, he would now meet the right hon. gentleman opposite. It never was the intention of the magistrates to have dispersed that meeting as it was dispersed, nor, on the preceding day, to have dispersed it at all. The magistrates did not determine upon dispersing it till it had assumed a character of tumult and sedition; they then put warrants into the hands of the constables, and it was not till they had declared their inability to execute them, that a military force was employed at all. If it was an illegal

meeting, and was carrying on without the royal and municipal emblems, the magistrates would have been guilty of a great breach of duty in suffering it to remain assembled after the capture of Hunt; they wished to disperse it in the most mild and temperate manner. After the riot act had been read from the windows of the house where they assembled, a magistrate was sent to read it to the crowd, but was there trodden under foot. A third was sent to read it at the hustings: he believed to be correct, but conflicting evidence must be expected. After some strong remarks against earl Fitz and the Yorkshire meeting, the noble lord ended by supplying the original address.

The debate was adjourned after some contest, at half past three.

On the following day, a mass of documents relating to the state of the country was presented to both Houses. The first document was a letter from the magistrates of Manchester to lord Sidmouth, dated June 1st, expressing their apprehension that some formidable insurrection was in contemplation. It adverted to the "deep distress of the manufacturing class, which the disaffected took advantage to instil their pernicious doctrines, adding, "when the people are oppressed with hunger, do not wonder at their giving to any doctrines which they told will redress their grievances. They pointed out the meetings and the liberty press as the chief causes of alarm. Other papers refe

GENERAL HISTORY. [125

formation of an armed association which was attempted to succeed, under the sanction of the earl of Derby, lord lieutenant of the county. Several justices and some examinations of magistrates, attested the extensive practice of training among the lower orders; but it appeared that in some cases, whether it was intended by these men to enable themselves to do something resembling an array to the meetings; in which the whole manual was gone through, it stated, that sticks were the weapons produced. Some accounts related threatening and seditious speeches used by those engaged in drilling. One communication to a magazine, printed without a name, mentioned a body of men going to a meeting, who, on reaching the hustings, produced pikes from their bosoms or from their pockets, which they attached to their walking sticks. A narrative by the reverend Mr. Hay, a magistrate, of the transaction of the 16th, succeeded; the rates were here said to have issued their warrants for the apprehension of Hunt and others, on the general appearance of the mob, and on the very numerous complaints of the inhabitants, as well as fears for the public safety. The apprehension of these persons, their being led away was stated, and it was added, "In the same time the riot act was read and the mob was completely dispersed, but not without very serious and lamentable consequences," which were particularized. The active part of the riot was said to have come

wholly from the country, and to have consisted of not less than 20,000.

Some other documents noticed the generally turbulent and disaffected spirit of the lower orders, and the intimidation of those among them who were disposed to be loyal. Some particular acts of violence and outrage against the active partisans of government were related; especially the death of Campbell the constable, who was literally stoned to death on August 17th; the attempt on the life of Birch, and some acts of riot at Macclesfield on August 18th. A letter from Sir J. Byng, dated November 18th, stated, that it appeared certain, that simultaneous meetings were to have been held at a number of towns which he named, but that the scheme had been baffled by the disunion of the leaders; and that in those places where disaffection was of less mature growth than in the towns of Lancashire, a desirable check had been effected. The writer however deprecated any relaxation of vigilance, and mentioned the existence of a plan for disseminating seditious and blasphemous pamphlets among the servants of great families; and repeated, though vain attempts to corrupt the soldiery. A statement from the grand jury of Cheshire, dated Sept. 3rd, attested the alarm for their lives and properties felt by his majesty's loyal subjects, in some parts of the district of Macclesfield, in consequence of active measures of terror and intimidation, which within the last 14 days had assumed a more formidable character: the difficulty of dispersing

dispersing meetings for training was likewise noticed. Others of these pieces were addressed to earl Fitzwilliam as lord lieutenant of the West-riding of Yorkshire, and described the circumstances attending the reform meetings in that quarter, and the general distress, and consequent discontent of the people. Pikes, and pistols in small numbers appeared to have been manufactured in these parts. Similar, but still more affecting accounts of the state of the south-west of Scotland, and of the disaffection there prevailing, made the substance of other reports; and the riotous proceedings of the keelmen at Shields, were related in others.

House of Lords, Nov. 29.

The *Lord Chancellor* proposed a bill, which he assured their lordships did not arise out of the circumstances of the times, but which had been previously contemplated by him. Its object was, to remedy the inconvenience and delay of justice arising from the practice of the courts which allowed defendants, in cases of information, or indictment, to implead or traverse. This bill took away the right of traversing; but allowed the court to postpone a trial upon ground being shown for the delay. On the second reading of the bill Dec. 3rd, after its nature and application to cases of misdemeanor had been more fully stated by the noble mover, *Earl Grosvenor* rose and observed, that while the attorney general was allowed to hold informations over the heads of defendants for any indefinite period, it was greatly adding to

the grievance to abolish the right of imparlance; thus the security of the subject was diminished and the power of the crown increased. But since their lordships on their view of the state of the country had chosen to take away the scabbard, and leave only to the sword, this and other measures of severity must be adopted to preserve the peace of the country.

Lord Erskine opposed the bill as depriving the people of an ancient and valuable privilege, remarking, that when he saw a table covered with other measures tending to abridge the rights of the people, he thought it a singular coincidence that the bill should be brought forward at the same time.

The *Earl of Liverpool* said he was convinced, that if their lordships did not pass this measure they had better at once decide that every kind of blasphemy, sedition was to be tolerated for the future. Persons charged with the higher crimes, were in some instances put on their trial immediately, whilst in lesser crimes a delay might be claimed sometimes extending to a year. In such a delay appeared less likely to prove injurious in the more serious crimes, because in the case of the person of the offender being secured; but in cases of libel the offence might be repeated after day, and hour after hour before the party was brought to trial. He agreed that the measure was an innovation, and that the House was bound to require evidence of a strong necessity. Was there not, then, sufficient evidence of this description in the actual circumstances of our situation at

GENERAL HISTORY. [127

ad in all those practices notoriously prevailed? His government had been why more prosecutions been instituted. He could r, that the answer to that a was of itself a strong at in defence of this pro- . No effort had been left during the last 12 months g persons charged with mous and seditious libels e. It had, notwithstanding found impossible in the state of the law to obtain han one conviction. If re did exist a lamentably ad pressing evil, he trusted use would not be indis- o adopt some measure of l.

Holland was averse to on various grounds, and y saying, that after what shown of the nature of , it was manifest that its as grossly deceiving: it ed to be a bill to prevent in prosecutions for misde- s, but it did not say one the greatest delays—those occurred in proceedings by io informations. By the ovision of those great men ed at the time of the Ren in 1688, and to whose ty their lordships often l, improper delay could urby allowing the accused o plead, because in prose- by indictment the defen- ere obliged to enter into isances, which they must if they did not appear to

But in proceedings by io informations, the attor- neral had the power of ng a person accused,

though not convicted, of a libel, by keeping a prosecution hanging over his head for life. He did not say that this had been done by the present attorney-general, or his predecessors; but this he would say, that there were at present 40 informations depending, some of which had been hanging over the parties accused for one, two, three, four, five, and some for ten years, and this must surely be admitted to be a shocking state of the law. He could not hope that his opposition would prevent the bill from passing, even in its present state; but if it were so altered as to legislate on both sides, by preventing the delays which occurred in prosecutions by *ex-officio* informations, as well as in those by indictment, he should perhaps give it his feeble support on the third reading.

On the 3rd reading of the bill on Dec. 13th, the lord Chancellor rose to propose an additional clause, to provide for bringing on the trial of a defendant within a twelvemonth from the time of pleading. If the trial did not take place within that time, the defendant might then call upon the attorney-general as prosecutor for the crown, to proceed to trial within 20 days. If the attorney-general did not then choose to proceed, he must enter a *noli prosequi*.

After a few words of acknowledgment from *Lord Holland*, for the handsome manner in which his suggestion had been adopted, the bill passed.

It also passed the House of Commons without opposition.

House

House of Lords, Nov. 30.

Lord Sidmouth rose to call the attention of their lordships to the measures which the ministers of his royal highness the Prince Regent thought it necessary to propose in the present state of the country. It was unnecessary for him to go into any detail of the danger in which the country was placed: it was known that a conspiracy existed for the subversion of the constitution in church and state, and of the rights of property. Their lordships would feel, as he stated, with grief, that the press was one of the principal instruments employed for this purpose. That art which was calculated to instruct and console, was perverted to rob mankind of all hope of future happiness, because it was thought that when the people had lost the consolation of religion, they would be more prepared to throw off their allegiance. He should now describe the measures designed to meet this evil. It was the essential character of a free press, that its productions were not interfered with before publication; this principle was preserved in the bill which he had to offer,—for a moment, and only for a moment, had it been in contemplation to depart from it. Neither was it designed to visit offenders with an increase of punishment on the first instance; but it was proposed, that any person having been tried, convicted and punished for a blasphemous or seditious libel, should on conviction of a second offence, be liable, at the discretion of the court, to fine,

imprisonment, banishment or transportation. It was also proposed, that in cases of a conviction, a power should be given to seize the copies of the libel in possession of the publisher; the copies so seized be preserved until it should be seen, whether an arrest of judgment should be moved, and to be returned to the publisher if the judgment of the court should be in his favour.

Another measure connected with this subject would be proposed in another place, which *Lord Sidmouth* might mention it here, in order to afford a connected view of the measures which ministers laid it their duty to recommend. It was to be proposed, that applications, consisting of less than a given number of sheets, should be subjected to a duty equal to that paid by newspapers. It might be said to be based on the principle before laid down, but it would be for their lordships to consider whether such an infringement were not inadvisable to check the progress of blasphemy and sedition.

Another provision of the bill would be, that persons who had made forth a publication of this kind, would be required to enter into recognizances or give security for the payment of any penalty which might be inflicted on them.

He should now state the provisions by which it was proposed to obviate the danger of tumultuous and seditious meetings. It was not intended to interfere with the right of the subject, to petition the Prince Regent, or parliament, or to petition for the discussion of any

GENERAL HISTORY. [129

under which the people conceive they were labor-

Nothing would be introduced into the bill that might to impede, or interrupt its regularly called by a borough-reeve, or other rate; but it would be proposed to enact, that any parties; to meet for consideration acts connected with church

e, should notify their intention by a requisition signed by householders, and that it be illegal for any person usually inhabiting the place it was called, to attend it. proposed to give the magistrates the power, with some exceptions, of appointing the time of meeting.

In consequence of the alarming which had been laid before the House, respecting the preparation for employing illegal force, proposed to prohibit military training except under the authority of a magistrate, or lord of the manor of the county.

There was on the table left no doubt of the danger to be apprehended from the possession of arms by the disaffected; and it had been deemed necessary to empower magistrates in the disaffected parishes, on evidence affording a reasonable suspicion of arms collected for illegal purposes, the power of seizing them. It was also to be given to the magistrates of apprehending and detaining persons found carrying arms for such purpose; and of punishing the possession of such arms; an appeal to the courts of law being howsoever followed to the persons so convicted.

The bill was in outline the same as the bill of the year 1817.

whole of the measures to be submitted to parliament.

Earl Grey objected to the early day fixed for the second reading of these bills; he also objected to the bills themselves, as forming a system of force, terror and coercion which would aggravate the distrust entertained of parliament by the people, and instead of saving produce ruin to the country. Feeling as he did on these subjects, and looking with dismay on the proposed system of government, he could not but take the earliest opportunity of expressing his general sentiments on these measures;—measures which comprehended restraints on public meetings, and on the freedom of the press, and empower magistrates to deprive the subject of arms which he might have for his own defence. The justification of such restraints rested on the papers which had been presented to the House. Now, he was willing to allow that these papers, incomplete as he maintained them to be, and requiring many additions and explanations, did prove a considerable extent of danger; but a danger arising from the distress of the people—a distress amounting to absolute hunger, and admitted by the magistrates themselves, in their first accounts, as the cause of the danger. That there were persons who took advantage of this distress to inflame the discontents of the sufferers, he was willing to allow; but, there was no evidence either in the papers on the table, or in the general state of the country, to convince him that any conspiracy against law and order had been

[K]

been formed, or that the public tranquillity was extensively threatened. The noble lord had spoken of conciliation, but his notions of it were rather rigid. He had declared that he would subdue first before he would concede. But if there were demands which the people had a right to make, and which, from the state of the country, it was proper to grant, why resist concession? He was prepared to admit that the people had a right to an indulgent attention to their grievances; that there existed abuses in the government, and defects in the construction of parliament, which ought to be taken into consideration, and that a yielding to the prayers of the nation in this respect might allay discontent, without being a dangerous concession. Such measures of conciliation would do more to bring back the country to peace and tranquillity than the present bills, and give it more strength and durable security than any system of restraints, or laws of severity and coercion.

After a general defence of the principle of the bills and of the conduct of government from the *Earl of Liverpool*, and a few words of objection from *Lord Erskine*, early days were fixed for the second reading of the training and search for arms, and the press restraint bills.

On the same day, in the House of Commons, *Lord Castlereagh* entered into a general exposition of the bills laid before the House of Lords by viscount Sidmouth.

Mr. Tierney then rose, and after a variety of strictures on the bills proposed, and conduct

of the administration in forcing the laws already enacted against the licentiousness of the press, as if they desired that unchecked excess should be a pretext for measures of oppression, he thus concluded:—he had come down to the House with a sincere inclination to be impartially to what the noble lord might suggest, and rather disposed to concur than to oppose; but he had then no notion of the extent of the demand which might be made: he might have been willing to concede something, if a necessity had been shown; but nothing would satisfy the noble lord but an attack upon the vital principles of the constitution. Are we (continued *Mr. Tierney*) to live in such times? Are we now to be up to the world, that the constitution which we have loved and venerated for its antiquity, and which has conferred on us the blessings of peace and order, is of no value to us? Merely, when foreigners ask in what way we are possessed of such and such institutions that have attracted their admiration, we could only say that we were indebted for them to the right which the people of England enjoyed of thinking and speaking freely. But no other lesson is taught by the noble lord, who would convince us that what has been the source of our liberties is the destruction of our happiness—that what our forefathers have been so anxious to preserve is false and foolish; and that to preserve freedom and peace, the constitution must undergo a change, which, in my opinion, I believe it cannot survive.

and openly, that I suspect administration from which measures emanate—that re only the advanced guard array of bills which they direct against the constitution. I see on the part of the present an evident determination to resort to nothing but they think of nothing else, dream of nothing else; they see no means of conciliation, will make no attempt to and reconcile: force—force, and nothing but that is their cry, and it will be the same for years: measure of coercion has been, it be, followed up by another and the result will justify I assert, that 10,000 will answer their purpose; one more of violence must succeed, and what they gain by they must retain by the detestable means. The will never rest until they are allowed to live under laws administered; until their industry will procure them means of maintaining themselves, and until they shall enjoy the blessings of that constitution which their ancestors desired they should partake. If discontent will increase to rebellion, and distress will produce discontent, notwithstanding bold assertions of the noble lord that the nation is prosperous and has no wants but those which arise out of the present condition of America. If the noble lord had confined himself to a grant of 10,000 men, I have deemed it a strong reason in a time of profound distress. Is any evidence offered

that a body of the military has been overpowered, or even that it has not always been sufficient for the dispersion of any meeting? But if the country gives him more troops to put down new meetings, surely it is somewhat hard that he should also ask it for new laws, that are to prevent the possibility of new meetings. If the noble lord thinks that the new laws will be effectual, where is the occasion for the 10,000 men? My sincere belief is, that he will want many more than 10,000 men, and what a melancholy prospect does this hold out to the country. It may be said that I use violent language. I admit it; and all I can say in answer is, that I do not utter a single syllable that I do not, on my honour, believe. (Cheers). I am an alarmist. I feel alarm, because I am compelled to trust to men who will rely on nothing against the people but brute force. I am alarmed, because an attempt is to be made, under false pretences, to destroy all that is valuable in the constitution, unless it be defended by the free spirit of a yet free nation. Therefore it is that I indulge a hope, that while the right of meeting remains, the people will meet and will express their opinions with such effect, that the threats and measures of coercion may be abandoned. I trust that the country will thoroughly understand the nature of these novel laws, that the real objects of government will be evident, and that those objects by the public voice will be forever defeated. If the country abstains from this course,

and if the House, without any evidence to warrant these innovations, shall consent to follow the noble lord in his desperate and adventurous course, all I can say is, that I shall witness it with the deepest and most sincere regret. I shall then have lived long enough, as I can no longer be of service to my country.

After some severe strictures on the bills themselves, and on the speech in which the noble lord had introduced them, by *Lord Folkestone*, and some remarks from *Mr. Brougham* on the present ignorance of the House how far the provisions against seditious meetings were to extend,—the debate on the first reading ended without a division.

On Dec. 1st, the *Marquis of Lansdowne* rose in the House of Lords, to propose the appointment of a committee to inquire into the state of the manufacturing districts. His lordship contended, that the necessity of such an inquiry could scarcely be disputed, at a period when all parties were agreed as to the alarming state of the country,—when, within a month, there had been added to an already large standing force, a new army, greater than had in former times been thought sufficient for internal defence and external operations, and when the tables of both Houses were covered with measures for restraining the liberty of the subject. It was necessary to take a comprehensive view of the whole situation of the country,—of causes as well as events. The general desire of some change in the people, appeared

to arise only from a feeling of easiness, proceeding from— His lordship stated, that to prove to the House, that the great stations of the manufacture, such as Manchester and Paisley, the rate of which had fallen, on an average half. This depression, the of which their lordships should investigate, might be traced, the last twenty years, to a neglect of political economy connected with the political events of times. After a variety of observations on this subject, *Mr. Quilley* proceeded to other parts of the subject,—the number of the libels which had suffered to pass without notice,—their conduct at popular meetings, and the conduct of the magistrates at Manchester. He ended by proposing for a select committee to inquire into the state of the country, the distresses of the manufacturing districts, and the execution of the laws regarding seditious practices and public meeting. The motion was opposed by *Mr. Wellesley* and lords Grenville, Liverpool, and supported by *Mr. Erskine*, Grey, and *Mr. Dunning*. The numbers were,

Contents.....Present
Proxies

Non-contents...Present
Proxies

Majority against the motion.

In the House of Commons, on the same day, a corresponding motion for inquiry into the state of the country was brought forward by *Lord Althorp*, who

GENERAL HISTORY. 103

a long and keen debate, in which Lord Castlereagh on one side and Mr. Tierney on the other were principally distinguished.

That the motion, 323

is..... 180

Majority — 173
December 2nd, the *Chairman of the Exchequer* moved, in the House of Commons, that this do go into a committee of

Brougham opposed the motion, because it was the common mode to state grievances when supply was called for. He understood that the new duty on pamphlets would be reduced in the course of the year, and he wished to set against the indecent and precipitated haste with which measures were hurrying through the House measures, by which it was admitted that a great and permanent change was to be made in the constitution of the coun-

the Speaker then left the House and

G. Warrender proceeded to address the committee. He could anticipate no opposition to the resolutions which he had in his hand, which merely led for the requisite number of seamen for the year. He wished to mention, that in one half of the service, he meant to employ royal marines, there was an increase of 2,000 men; so that, therefore, the whole duty of the dock-yards would be executed by the corps. It would be found of the greatest service to increase the number of royal marines to the number of 3,000 men; by which means,

if any cases should arise, an efficient permanent force would be ready to assist in the formation of an armament. This was not like an increase of the military force, a measure of a temporary nature; but was intended to be a permanent increase, to the extent of 2,000 men. The hon. baronet then moved, "that a force, not exceeding 23,000 men, be employed in the sea-service, for 13 lunar months, from the 1st January, to the 31st December, 1820, including 8,000 royal marines."

Mr. J. P. Grant said, if he understood the hon. baronet correctly, the nature of his proposition was, that 2,000 men should be added to the marines, which should have the effect of releasing 2,000 of the military force of the country from the duty they now performed in the dock-yards. Therefore, when an increase of the military force was called for, the House ought to keep in view, that by this new measure 2,000 men would be virtually added to the military establishment. He could not, at that moment, make any observation on the proposed increase of the army; but when the noble lord brought forward the proposition, it would be for him to demonstrate the necessity of such a measure in time of peace.

Sir G. Warrender said, gentlemen were not correct in supposing that the dock-yard duty was entirely performed by the military of late years. A part of that duty had always been entrusted to the corps of marines.

Mr. Croker said, it was impossible to deny that this arrangement

ment would relieve that portion of the army which was now employed in the dock-yards, and *pro tanto*, would increase the disposable military force. The number of men that would be relieved by this additional vote of marines, was about 1,200.

The motion was then agreed to.

Sir G. Warrender then moved, "That a sum not exceeding 650,325*l.* be granted for wages for 23,000 men, for 13 lunar months, at the rate of 2*l.* 3*s.* 6*d.* per man per month. That a sum not exceeding 612,000*l.* be granted for victuals for 23,000 men, for the same period, at 2*l.* 1*s.* per man per month."

Mr. Baring asked, what was the reason that the charge for victuals was 1*s.* per man per month greater than it was in the vote of last session?

Sir G. Warrender could not state the exact reason; but the officers who made the estimate found, that the addition was necessary.

There were then voted, a sum not exceeding 612,900*l.* for the wear and tear of ships; a sum not exceeding 104,650*l.* for ordnance for the sea service.

On the motion of the Chancellor of the Exchequer, the House resolved itself into a committee on the Stamp act, 55 Geo. 3rd, cap. 185.

The Chancellor of the Exchequer said, that he should decline discussing the principle on which the resolution which he had now to move was founded, as it would most probably come before the House immediately, on another occasion. He had thought it his

duty to introduce it to the House, because a considerable fraud had been committed on the revenue, by means of the pamphlets against which his measure was intended, and because a considerable invasion had also been made by them upon the property of the regular newspapers. His resolution was in substance as follows:—"That all pamphlets containing an account of any public news, intelligence, or occurrence, or remarks upon any public news, intelligence, or occurrence, or letters upon any matter of church or state, which shall not exceed two sheets, and which shall be sold for a less sum than 6*d.* exclusive of the duty thereupon, shall be deemed and taken as a newspaper, within the meaning of the acts enacted for that purpose in England and Ireland respectively."

After a few remarks from *Mr. Brougham*, who said he reserved his comments till the exceptions should be made known, which would doubtless be allowed, the resolution passed without opposition.

House of Lords, Dec. 2.

Lord Sidmouth moved the order of the day for the second reading of the bill for prohibiting training. Their lordships had made an order, that two of the bills which had been read a first time on Monday, should be read a second time this day; he might, therefore, now allude to both. The provisions of one of the bills were similar to those of the temporary act which was passed some years ago, when the midland districts were in a disturbed state; and

their lordships compared out bill with the act of 1 of the king, they would find its provisions were much more. The papers which were laid before their lordships contained instances of training of the procuring of arms, insufficient to prove the wisdom of the measures recommended to their adoption. But since on this subject, it was as it already was, had been strengthened since papers were placed on the table. Within these last few years military training was going on, and that the procuring arms, for purposes of an illegal nature of which it could be questioned, was continuing. He should at present say no more, except to move, the bill which stood first, and then he would read a second

the measure had been introduced by Lord Erskine, and supported by Lord Lilford, who said particularly investigated the characters of some of the delinquents relative to the making of the bill, and found them worthy of punishment.

Lord Chancellor rose, and replied to some of the remarks of Lord Erskine, said, with respect to the constitutional question of the right of the people to bear arms for their own defence which had been alluded to, looking at the Bill of Rights he found that the principle was laid down in so broad a manner as it was frequently represented that it was accompanied by the strong qualification,

that subjects might have arms suitable to their conditions. There was, therefore, little force in the objection urged on this ground. But if their lordships had any doubt of the propriety of passing these bills, it would be removed on giving a fair consideration to the evidence contained in the papers on the table. If the persons to whom that evidence referred were arming and training, with the intention attributed to them, then were they guilty of nothing less than high treason. If their object was, to give to meetings, by the collection of great numbers, the quality of physical force, for the purpose of procuring by the display of that physical force any alteration in the government, in church or state—if this were done by any individuals, either in this city or any other part of the country, he must declare, that such a proceeding was an overt act of treason. With respect to the bill before the House, it never could be supposed that it was wished to render it one of unnecessary rigour. It would be for their lordships, when it went into the committee, to consider all the details and to render it as lenient as possible.

Lord Holland said, that the manner in which these bills had been introduced, placed him under considerable embarrassment; because, though there might be details to which he should not object, the grounds of the whole measures were such as to prevent his giving an unqualified assent even to these. For instance; with some qualifications he perhaps might not object to the measure for preventing secret training,

ing, or for the seizure of arms; but he could not agree to the allegations of the preamble, because founded on evidence which did not satisfy him. Nor were the details of the bill free from objection. It appeared a great inconsistency, that the person who drilled should be subject to seven years transportation; and those he trained, to two years imprisonment. The purpose of the driller might happen to be more innocent than that of the drilled. The noble lord (Lilford) had referred to his knowledge of certain informations; but even that noble lord would allow that anonymous informations could not be expected to have the same weight with others who had not his means of information. He had reason to know that in that part of the country there were Orange lodges which were a great cause of dissention; if the names of informants were given, it might be ascertained whether they were members of such lodges; he objected therefore to the preamble. But with the qualifications he had stated, he had no objection to say content to the principle of the bill.

With respect to the second bill, his lordship said, that after the candid acknowledgments of the noble secretary on introducing the bill, he was surprised it should be affirmed that it involved no violation of constitutional principle. He also made some strictures on what had fallen from the noble and learned lord respecting the bill of rights. His lordship concluded by saying, that he must observe that he believed the whole policy of his majesty's

ministers to be founded in error. He would not say of them, or any other set of men, that their intention was to subvert the constitution in order to acquire themselves unlimited power; if they had such an intention, he knew no better method that could be pursued, than that of occasional remissness in checking the progress of sedition, in allowing it to grow to an alarming height, and throwing on parliament the duty of putting it down. In such a state of things, many honorable and good men could see no other course left, than to adopt the measures of rigour which were recommended. But he should say no more on this part of the subject. The two bills under consideration were the least objectionable of the whole series of measures. He admitted, that the bill, by disarming only certain districts, and by being limited in its duration to a certain time, was as much to render the measure palatable as it was possible to do. But still their lordships should recollect, that the necessity of disarming the people, if that necessity really existed, implied a will and intention on the part of the people to oppose the government of the country. He believed that the greatest power that could be exercised by the government, either despotically or limited, was to attempt to disarm the people. He stated it, therefore, as one of his strongest objections to all these laws, that they did not succeed in accomplishing the object for which they were framed, they must prove highly dangerous; on account of the impressions they would

GENERAL HISTORY. [187]

wounds they would leave, minds of the people. On these considerations he could be "content" to the second bill to the first, it certainly was stronger than that passed in 1793, and therefore it was not a question on which he should exhibit abhorrence and detestation with which he viewed the use of coercion about to be introduced.

Marquis of Buckingham was not object to this bill, because it was not one for disarming the people, but for preventing them from using their arms against the constitution. He agreed with the noble lord in saying that one of the great evils that arose from ill-devised persons creating alarm in the country, was the necessity of a great preponderance of force to the crown. But they must either make sacrifices to overcome this difficulty, or compromise the safety of the state by backing those whose object was to overturn it. The noble lord is concluded with some allusions upon the advocates of a centenary reform in the

Lord Holland disclaimed having made any allusion to the sub-

Duke of Sussex complained that the noble lord misrepresented that side of the House as being to the radical reformers. He did not agree with those who were in favour of all the measures proposed, but he should concur in all bills at present under their consideration.

Marquis of Lansdowne said it was his duty to concur in

some of the measures before the House, solely on the ground of necessity. He however thought it extremely dangerous to give any man the power of entering the House of another by night, and that, if possible, it would be expedient to avoid giving it.

The Earl of Darlington believed that in his official capacity his name had already been introduced to notes and documents laid on their lordships' table. He had gone so far as to say, that if measures of coercion were not resorted to, a rising would take place in that part of the kingdom. Since he had come to attend his duty in that House, he had received intelligence, which he believed to be true, that preparations were made for rising in arms, and he had no doubt that at that moment, while they were deliberating on those bills, many deliberations of a treasonable nature were carrying on in the northern part of Durham and the southern part of Northumberland. That being the case, it was their lordships' duty to endeavour to find out the persons who were plotting against the constitution; otherwise they would go on to mature their measures of danger. There were certainly parts of these bills which created great hesitation in his mind; nay, perhaps some parts which ought to be rejected. He also professed himself friendly to inquiry; but the general tenor of this and the other bills received his assent.

The Earl of Strathmore thought it his duty to mention some alarming particulars which he had that morning received from the North. He

He said he knew there were fourteen or fifteen thousand men on the banks of the Wear and of the Tyne ready for rebellion; and if they were not prevented from procuring arms, he had no doubt they would rise as soon as their plans were ripe for execution. He was glad he had not the same account to give of the south and south-west parts of Durham. There, on the contrary, as well as in the northern part of Yorkshire, the people had gladly come forward in defence of the law.

Dec. 4. The House of Lords resolved itself into a committee on the seizure of arms and training bill, when, after a few remarks from some noble lords, and the proposal of two amendments; the first that two magistrates should be required to authorise a search; the second, that searches should not take place by night, both which were negatived, the House resumed. It afterwards went into a committee on the training bill, which was read clause by clause.

Dec. 7. The report on the training bill was received by the House of Lords, after a strong speech against the measure by *Earl Grey*, who, though admitting the fact that the radical reformers were both numerous and active in the counties of Northumberland and Durham, maintained however that the alarms which had prevailed were in great measure unfounded, and that no necessity had been shown for the enactment of the present bill. An opposite view of the subject was taken by the *Earl of Strathmore*. The bill finally passed the House of Peers, as did the

seizure of arms bill, against which however the following protest was made:—

“Because the right of having arms for their defence, suitable to their condition and degree, is secured to British subjects by the ancient laws of these realms, is declared to be so by the Bill of Rights, and is, in the words of Mr. Justice Blackstone, “a public allowance of the natural right of resistance and self-preservation, when the sanctions of society and laws are found insufficient to restrain the violence of oppression.”

“Because no sufficient evidence has been laid before the House to prove “that arms and weapons of various sorts have in various parts of the kingdom been collected, and are kept for purposes dangerous to the public peace.” We doubt the fact, and we distrust the remedy. If arms have really been procured for such illegal purposes, the persons engaged in these criminal designs will have had ample notice, before this bill can pass, to remove them to places of concealment. Whilst this power, therefore, is likely to be in a great degree inefficient with respect to its professed object, it is liable to be most injuriously and vexatiously used in cases where arms may have been provided and kept for the legitimate purposes of self-defence.

“Because, in former periods of much greater danger to the crown and constitution of these realms, when conspiracies by the adherents of the House of Stuart were known to be directed against both, when preparations were

GENERAL HISTORY. [139

king for rebellion with
tance of France, when
he highest rank, station
ence in both kingdoms,
ply engaged in these de-
y, during two formidable
s in 1715 and 1745, no
wer was granted to the
et the new line of suc-
was defended, and our
nstitution successfully
ed against all these dan-
he principles of the Re-
had been too firmly im-
n the hearts and minds
ncestors to allow them,
spur of any emergency,
alarming, to hazard the
of a right which they
cently asserted.

use this law is, in its very
eculiarly liable to abuse.

credulity, malevolence,
party violence and in-
zeal may, equally with a
duty, contribute to call
action; and the powers
its execution, of break-
er by day or night into
use or place where in-
n may have been received
as are kept for illegal
s, must unavoidably ex-
persons and property of
esty's subjects to injury
lence, which cannot be
ly guarded against by
visions made in the bill
purpose. This is not a
prehension. Experience

proves that such effects may be
expected from it. In Ireland, it
is well known, nothing more con-
tributed to irritate the people,
and to provoke acts of private re-
sentment and revenge, than the
abuses which took place, and par-
ticularly the insults which were
offered to women, in the exercise
of a similar power.

Because we further object to
the enactment of this law as part
of a system which, in a season
of unexampled distress and
misery, rejecting every proposi-
tion for conciliation or concession,
rests on force alone for the sup-
pression of the prevailing dis-
content, and is calculated to give
additional weight to an opinion
already too generally entertained
—that the parliament is more
ready to presume against the
people and to enact laws for
their restraint, than to attend to
their just complaints and to af-
ford them that protection which
they have a right to claim against
every species of injustice and op-
pression.

GREY.

THANET.

ERSKINE.

ALBEMARLE.

KING.

VASSAL HOLLAND.

WENTWORTH FITZWILLIAM.

YARBOROUGH.

AUGUSTUS FREDERIC.

CHAPTER IX.

Seizure of Arms Bill in the House of Commons.—Training Bill passed in the Commons.—Blasphemous and Seditious Libel Bill in the House of Lords—Protests.—Libel Bill in the House of Commons.—Seditious Meetings Bill in the House of Commons.—The same in the House of Lords—Protest.—Lord John Russell's Motion for Reform in Parliament—House of Commons.—Newspaper Stamp Bill in the House of Commons.—The same in the House of Lords.

HOUSE of Commons, Dec. 14.

On a motion to go into a Committee on the Seizure of Arms Bill, *Mr. Lambton* moved, that the provisions of the Bill should not extend to the county of Durham, affirming that there was no necessity for such a measure in that county, as all the allegations on which it was at first proposed to extend it there, had been disproved. He had been assured that there were no arms among the colliers, as had been said.

After a few observations, the motion was negatived without a division.

Mr. Birch proposed a similar exemption for Nottingham, where he said that the distress was indeed great, but borne with exemplary patience. This suggestion was supported by *Lord Raneliffe* and *Mr. Denman*, but was also negatived. After some remarks from *Mr. Protheroe* in favour of the measure, and some strong ones from the *Hon. T. W. Anson* against it, the House went into a committee on the bill, which was read a first time.

Mr. H. G. Bennet then rose. He said that in the year 1817 a measure had been proposed respecting the seizure of arms which he had opposed, on the principle that the distinctive difference between a freeman and a slave was the right to carry arms, not so much to defend his person as his liberty. One of the provisions of this bill was, that on information on oath, any justice might grant a warrant for the search. To this he strongly objected, on a conviction that even in the best and most moderate times such a power would be unsafe and improper; and in the present temper of men's minds in the manufacturing districts, he knew not but it might be highly dangerous. He was very certain that at Manchester persons might sign these warrants to whom he, at least, would be the furthest from intrusting them. Then, how were these warrants to be executed? They were to have a power to enter houses by day or night to search for arms. As a free-born Englishman,—born so indeed, but how long he might
continue

GENERAL HISTORY. [141

so he really now could—he had no hesitation in that the people never submit to this enactment. I do not think that they were enough to allow it to be put into execution by armed violence, or the sword.—I might say nothing could be more terrible, more despotic, than for men to enter houses in the night. Would gentlemen subject females in the night and in bed to new insults? Necessary, however gently the warrant is executed, the mere intrusion was horrible. Was there an instance at the period of the French revolution which excites more disgust and horror than domiciliary visits? And is the difference between day and night such as would be avowed under this act? After all, I do not believe that magistrates could find any arms. He proposed as an amendment, “that justices” be substituted by “justice,” and that the words “by day or by night” be omitted, and the words “by day only,” be introduced.

Castlereagh in reply replied that the hon. gentleman was disposed to look at this with the utmost alarm at the fringing of the rights and liberties of the people, than extension to those rights or to families. That hon. member seemed disposed never to do this or any other question otherwise than as if he were only jealous of the magistrates and the laws of his country. It also prevailed that such measures were without a precedent

in the history of the country: yet in the year 1812 a measure of much more extraordinary rigour and harshness had been promulgated, in which however he had the assistance of several members on the opposite side of the House. He would state his conviction that if the power complained of were not given to a single magistrate, it would be entirely ineffectual: the delay in finding another magistrate might render the search unsuccessful. Nothing either was more likely to fail than search by day, or to succeed, if information were correct, than search by night. The means of communication were so organised and complete among the disaffected, that the magistrates could not move by day without their knowing it; and so, of course, the whole object would be lost. He did not mean to say that this was not a very strong measure; God forbid he should! He did not mean to say that this was not an enormous power. But, then it was a choice of evils—a question whether they would give a strong power to the legislature to protect the peaceable people, or leave them a prey to another power, tyrannical and destructive. The noble lord concluded with stating that after the years 1715 and 1745, bills had been passed precisely the same in principle.

Mr. Brougham was glad at least that the noble lord did not present this bill as constitutional in its principle, or its spirit;—that he had frankly avowed it was an infraction of the one, and a violation of the other. He denied that the precedent of 1812 could be

be binding on those who had resisted that measure to the utmost. The noble lord had contended that the measure would be crippled, if not defeated, by taking away the search by night, that it would give the disaffected warning; that when they heard that a magistrate was coming by day with a troop of horse to seize their arms, they would immediately conceal them. But what would be said of this statutory warning,—the bill on the table,—it must be granted, or the whole foundation of the noble lord's new edifice sunk under him, that there were numbers in the various districts actually in arms against the state, and the moment notice was given them by this bill that a magistrate might come and search, would they be so weak, so childish, as not to put their arms out of reach? One argument against the present bill was, that though it gave power to a magistrate to search, it was essentially defective, being destitute of any power by which he could get at the arms he discovered. Our Whig ancestors said, summon those who have arms to give them up, and if it afterwards turns out that they have concealed them, they may fairly be subjected to the severest penalties of the law. This, though only to be justified by necessity, was at least effectual. And why was it then necessary? Was not open rebellion then stalking through the land? Was there not a disputed succession? Did not a foreign foe aid the efforts of the rebels, and threaten invasion? Yet the noble lord, with the utmost assurance, asserted, that the

precedent of 1715 should govern the deliberations of parliament. Had we now a disputed succession, an open rebellion, even the appearance of rebellion? Where was the general rising had been threatened by ministers and their agents from day to day? That the subject had at all a right to keep arms of which the government could not, under any circumstances, deprive him would not maintain; but in case of necessity must be established. And in dealing with so sacred a matter as the rights, any one of them must be suspended in the mode most likely to affect the rest, or at least the other comforts and privileges to which he was entitled. I believed even the noble lord would admit that he had too strongly stated the subjects' rights to arms. Not only was an Englishman's house his castle against the unwarranted intrusion of thieves, or against the attacks of thieves, but it was so in a more and a higher sense of the law, as giving him a prerogative to have arms for his defence. I maintained that he had a right to arms for his defence, not merely because he would be left up to him that he might be subjected to the lawless measures of bad rulers, but to remind rulers that the weapons of defence might be turned against them, if they broke the law, violated the constitution. It was a dangerous doctrine, I dressed it not to the country, but to its rulers; and he begged to recollect that, in broaching this, he was only following Blackstone, who twice over

GENERAL HISTORY. [143

own in his book, that the use of arms, and the right of English subjects.

These were not times when a man to assert opinions might be misapprehended or misunderstood; and he would therefore add up what he had already adding, that no act of violence of the country, in which he was supported by the constitutional authorities, could war against any part of the community, nor, nay, to dream of, rebellion.

If the law of the land were to be altered, it could only be done by parliament; and he was vehemently and steadily against the last drop of his power to resist any encroachment upon the legislative power, as he would oppose any such step as was sly and firmly any invasion of the crown or the parliamentary known privileges of the community. These were the principles of the British constitution as serviceable to the rulers as they were dangerous to evil rulers—calculated to preserve and secure the peace and order of society, and, too, as a warning to those who would violate that which they ought to preserve.

A keen debate, in which Mr. Tierney, and other members took part, was ordered to be reheard the next day.

At the third reading of the bill on Dec. 16th, Mr. Tierney presented an amendment to omit the words "by night," which was carried by 158 to 46, after which the bill passed.

The Training Bill passed the House of Commons on Dec. 9th,

with the strongest expressions of their sense of its necessity, from members usually opposed to government.

Dec. 6. Lord Sidmouth rose in the House of Lords to move the second reading of the bill for the prevention of blasphemous and seditious libels. After the explanation already given of the nature of the bill, he would only observe at present, that whatever measures their lordships might adopt in the present state of the country, they would all prove ineffectual, unless means were taken to check the licentiousness of the press. This was the great source of the evil with which they had to contend, and if after adopting other measures they did not agree to this, the remedy would be incomplete; they would still leave in all its strength that destructive virus, the pernicious effects of which, if allowed to operate, were certain and irremediable.

Lord Erskine observed, that the preamble of the bill stated no facts to induce their lordships to entertain such a measure. Had the existing laws been shown to be inefficient? The bill applied to blasphemous and seditious libels, two things so different, that nothing was more absurd than to associate them together, or subject them to the same punishment. With regard to blasphemy against the Christian religion, there could be in law no justification for it. The whole world, he was confident, would go along with him in saying that the law ought to be enforced against publications of this nature. But a different question presented itself

itself when new laws were called for. These were unnecessary,—the crown-officers had ample means to put down blasphemy. Yet all that they had done was to prosecute a few parodies, and Paine's "Age of Reason." If they were unsuccessful, they had themselves to blame, for it was because they either departed from the regular course of law, or selected wrong objects for prosecution. A seditious libel was nothing like a blasphemous libel. As to the latter, all were agreed, and no jury could mistake it; but what the noble lords on the other side might call a seditious libel, might by many good and wise men be thought right and justifiable. It was proposed to seize the book charged as libellous upon a verdict being obtained against the publisher: but this proceeding, which might be very unjust in itself, would be more or less so under the particular circumstances of the case. Were a verdict given in July, the publication must remain long in a state of sequestration before the court could be moved for an arrest of judgment, though the decision of the court might be in favour of the plaintiff. But though injustice would be done in some cases by seizing, in others that proceeding would have no effect. The effect of the prosecution would often be to produce an extraordinary sale; so that after the verdict there would be nothing to seize; the whole edition would be out of print. There was another circumstance which their lordships ought to take into consideration; many booksellers had very extensive warehouses; it

might happen that, after verdict, a few copies of a libel might be sold, of the dict against which the might not be aware. Many difficulties and cases of hardship must occur under such laws; it was impossible to foresee what mischievous consequences they might lead. Their lordships would reflect on the consequences which might arise from the conduct of the government and parliament before juried quite new circumstances care be taken lest encouragement be given to libel by the laws framed to prevent it. If people were accused of circulating plans of innovation, instead of measures of severing the laws, it would be better to look to some reforms which would satisfy the moderate and compel those who were the titans of wild schemes to quish them. To put down blasphemy and sedition, all that necessary was the execution of the existing laws.

Lord Harrowby contended that the objections of the nobles had no serious weight. He asked whether fine and imprisonment were sufficient punishment for libel at a time when such ordinary pains were taken to calculate blasphemy and sedition through every corner of the country? When the labourer not drink his cup of tea or without at the same time taking of the poison? Was it much that a different punishment should be inflicted when the offence was aggravated by sedition? and what punishment transportation and banishment

re-

med to be applied? They supported these laws were no friends to the liberty of press; it was because they it that they wished to redress the evils caused by its mission.

Marquis of Lansdowne of some considerations against all, which he regarded as very needless, and in particular reprobated the application as a punishment as transportation to an offence which might be committed by men in all parts of society, frequently too, some of the most exemplary and praiseworthy characters in respects, and who, by their talents and virtues might be capable of making ample atonement to society for any injuries they might inflict through the press.

Lord Ellenborough could not think that some new regulations were necessary to curb the licentiousness of the press, concerning the alterations in the constitution of society within the last few years. He particularly alluded to the progressive increase of education. He believed where the power of reading and writing had been given without a strong foundation of morality, it had been enlisted into the cause of blasphemous and seditious libellers, and thus become an instrument of real mis-

Lord Holland said, that of all vicious cases which had ever come within his observation, he never witnessed one more dangerous than that under consideration. As to the grounds of law that could be collected from the speech of the noble

viscount and from the preamble of the bill was, that it was expedient to provide more effectually for the suppression of blasphemous and seditious libels; but was that enough to justify an alteration in the laws? Was there no other reason for at once destroying the liberty of the press? The principal ground for this extraordinary measure was the great increase of such libels. Of this he could form no direct judgment, but he was satisfied that these disgusting publications added nothing to the dangers of the country. If any danger did result to the religion of the people from such publications, it was wholly to be attributed to the conduct of his majesty's government, connected with those evil designs towards liberty which had been since the meeting of that House so clearly developed. He submitted, however, that the people of England were a religious people, and he would be party to no man, whether king, prince, or demagogue, who would allege that they could be made proselytes to infidelity, or that any additional laws were necessary to the maintenance of their faith. Another important branch of the subject was, how the laws in existence had been enforced. If blasphemous publications had been widely and numerously circulated, where were the prosecutions? What course had been taken to suppress them? It had been said that juries would not do their duty in cases of blasphemous publication; it was a strange perversion of intellect, that a person, at the moment he was recommending additional restraints

straints upon the crime of libel, should himself be pronouncing the grossest of libels upon one of the most sacred institutions of the country. It was not less strange, that while it was urged that juries would not convict as the punishment at present stood, they would be more likely to do so if that punishment were increased. The bill also extended the punishment of transportation to crimes in their own nature indefinite, and liable to different construction in different courts of justice. There also existed in it an anomaly directly contrary to the principles of crimes and punishments; that of making the master criminally responsible for the act of his servant. But then it was said that this punishment was at the discretion of the court,—this was indeed a monstrous proposition,—he would never consent to have the constitution and liberties of the country at the discretion of any man, however elevated or however virtuous. The bill also increased the punishment of a crime which he had already described as indefinite. This was a solecism in law, because, according to the practice of the courts there was no *malus animus* at all. He also found in this measure a new word in legislation,—the word “banished.” He did not know, nor had he ever heard of banishment as any part of the laws of this country, nor could imagine why it was now introduced. He now called upon the House to look at the practical effect of this measure arising out of the difficulty of the definition of a libel. There was scarcely any man in the two

↑

Houses of Parliament for 150 years who might not have been in a situation to be under this act. In speaking of men who had been considered men of great talent and station in this country, let me take in my lord Somers, the years from 1679 to 1701, a time of great oppression, courts of justice, and where judges were extremely subservient to the administrative power. During that time would have been the effect of such a measure as this? Not many passages of his speech dictated by integrity and worth, have been pronounced libels, and punished accordingly. From the time of lord Somers down to that of Mr. Burke, the acts of their public life, not many men have written or spoke some opinion which would come within the definition of libel? Let them see also what would be the effect upon libel men, both with respect to seditious and blasphemous publications. What would have become of Milton? what would have become of Dryden, if those against whose pen had been so effectively wielded, had come into power? What too would have become of Pope and Addison, and also of sir Richard Steele, the author of the Christian Hero—the frequent advocate of Christianity? Could he find security; could not Christianity itself be destroyed of its warmest friend, if he sent to Botany-bay? Look at the effect of this law upon men who had in the change of parties lost the protection of power. Would they not, amidst the animosity

pg

political hostility, be exposed to the most dreadful consequences? Would not, in fact, such a measure be made the instrument of vengeance, instead of power? There was another class of persons equally exposed to punishment; not merely the writer, the man of ability and the man of education, but the poor vender of newspapers, who awoke them in the morning with the sound of his horn, and was alike indifferent to what he sold, whether the loyal address of a university, or the contemptible discussions of a radical meeting. Knowing nothing of the contents of the publication, and perhaps incapable of judging of those contents if he did know them, he, too, was subject to the consequences of this bill; at least to the discretion of his majesty's judges! His lordship proceeded to argue, that during quiet times this bill was not sufficient to suppress the crime, and that in times of deep animosity it was likely to furnish a weapon of all powerful persecution, and to turn the sword of justice into the dagger of the assassin.

Earl Grey followed on the same side in an able speech; the *Earl of Liverpool* replied. The *Earls of Carnarvon* and *Blessington*, and his royal highness the *Duke of Sussex* declared their opposition to the bill; the last taking the opportunity to vindicate the *Lancasterian* system of education from attack, by asserting that the practice of teaching under it was founded on the strictest principles of religion and morals. The bill was then read without a division. The amendments afterwards proposed were all nega-

tived, but the opponents of the bill recorded their sentiments in the following Protests:

Protest against the Bill for punishing Libel by Transportation.—Because we believe that by a seasonable exertion of the laws, as they at present exist, the press cannot be abused to any bad purpose, without incurring a suitable punishment.

Because any extension of the power of punishment now vested in the courts of law with respect to cases of libel, appears to us, therefore, to be unnecessary.

Because the offence of publishing a libel is, more than any other that is known to our law, undefined and uncertain. Publications which at one time may be considered innocent and even laudable, may at another, according to circumstances, and the different views of public accusers, of judges and of juries, be thought deserving of punishment; and thus the author and publisher of any writing dictated by the purest intentions, on a matter of public interest, without any example to warn, any definition to instruct, or any authority to guide him, may expose himself to the penalty of being "banished from the united kingdom and all other parts of his majesty's dominions, for such term as the court in which such conviction shall take place shall order, or be transported to such place as shall be appointed by his majesty for the transportation of offenders, for any term not exceeding seven years."

Because the fear of being subjected to the punishment of a

common felon, thus suspended over the head of any person who may have been once convicted of publishing a libel, to which mere inadvertence may subject him, and against which no degree of caution can afford him complete security, must necessarily deter him from the fearless exercise of the right, which has hitherto been the proud prerogative of Englishmen, of freely discussing public measures and endeavouring to warn his countrymen against the dangerous encroachments of power.

Because this bill, therefore, so inconsistent with the policy of our law and with the practice of our ancestors, appears to us to be a most dangerous invasion of the just freedom of the press, and to be subversive, in one of their main defences, of the rights and liberties which were secured to us by progressive struggles through a long succession of ages, and at length asserted, declared, and, as we had fondly hoped, firmly established for ever by the Revolution of 1688.

(Signed) GREY,
AUG. FREDERICK,
ERSKINE,
THANET,
ALBEMARLE,
KING,
AUCKLAND,
VASSALL HOLLAND,
JERSEY,
MINTO,
YARBOROUGH,
LANSDOWNE,
COWPER,
LAUDERDALE,
ROSSLYN,
DARNLEY.

PROTESTS.

House of Lords, Thursday, Dec. 9.

Seditious Libel Bill.—It was moved to insert after the words “seditious libels” the following words:—“with intent to excite his majesty’s subjects to subvert by violence the government by law established.”

It was resolved in the negative.

Dissentient,—1st, Because the crime of publishing unlawful libels has, according to the practice of English law, embraced various offences, differing in their nature as well as in their degrees of criminality from the wilful and pre-determined guilt of the actual writer and publisher, to the negligence, and sometimes even to the inevitable ignorance of the party who has been deemed guilty by construction, in respect of his pecuniary interest in the publication, or his mere civil relation to the actual publisher; and it therefore seems just and necessary, that when a discretionary punishment of increased severity is to be enacted, it should be confined to that species of libel which, both in its natural tendency and in the motive of the publisher, exhibits the highest degree of malignity.

2dly, Because the most effectual, if not the only mode of accomplishing this object is, to introduce into the statute, and consequently into the indictments or informations proceeding upon it, a precise definition of the crime which it is intended to prevent, by the extension and alteration of the punishment.

By such means alone can juries,

ries, in the first instance, be apprised of the particular character of the offence imputed to the defendant, or can the judge have a certain rule to distinguish the cases in which his discretionary power is to be exercised.

3dly, Because without such exact definition as has been rejected, it is possible that judges as well as juries may, upon different occasions, differ very widely as to the meaning of the word "seditious," and thereby introduce into the administration of a penal law an uncertainty, which is at all times an evil, but which is particularly mischievous when the law is very severe.

(Signed) VASSALL HOLLAND,
ERSKINE,
LANSDOWNE,
CARMARVON,
KING,
BEDFORD,
JERSEY,
COWPER,
ROSSLYN,
MINTO,
LAUDERDALE,
AUCKLAND,
GROSVENOR,
THANET.

It was afterwards moved to omit the word "banishment." It was resolved in the negative.

Dissentient,—1st, Because the introduction of banishment in the present bill seems to us a wanton and dangerous experiment. That punishment has been hitherto unknown to the law of England, and on the present occasion, there has been no proof shown of its necessity, nor due examina-

tion had of its consequences. So material an innovation on a system of usages, statutes and maxims, established without reference to any such punishment, may, by analogies and inferences of law, affect the rights of the exiles and their descendants in a manner not foreseen by the authors of the bill, nor in the contemplation of the legislature that enacts it.

2dly, Because banishment, from its very nature a punishment of unequal severity in different cases, may be rendered doubly so by the favour or enmity of the sovereigns to whose dominions the exiles would most naturally resort.

We doubt the justice of subjecting an Englishman, even when convicted of a political offence against the rulers of his own country, to the capricious will or arbitrary laws of a foreign government; and we question the policy of teaching men of active spirits and turbulent designs to look to foreign favour for the mitigation of their lot, on the miscarriage of their enterprises at home.

Observation of what is going on around us, reflection on what has taken place in past times, strengthen these considerations.

The present situation of Europe affords us no assurance that the power of one sovereign may not be rendered subservient to the vengeance of another; and the history of free states, modern as well as ancient, admonishes us, that nothing has a more direct tendency to introduce foreign influence and foreign interference in the internal affairs of a country

country than the banishment of state delinquents.

(Signed) VASSALL HOLLAND,
ERSKINE,
KING,
BEDFORD,
JERSEY,
ROSSLYN,
COWPER,
LAUDERDALE,
THANET,
GROSVENOR.

House of Commons, Dec. 15.

Mr. J. Smith said, he held in his hand a petition from that respectable body of men the booksellers, against a proposed enactment, that persons convicted a second time of blasphemous or seditious libel might be banished for seven years.—Many whose names were attached to this petition would, he doubted not, abandon their business should the measure be carried into effect.

Lord Castlereagh wished to apprise the House of his intention of proposing some alterations in the committee on the bill, which would perhaps meet the wishes of the petitioners. He was happy to state, that he did not see the necessity of pressing the liability to transportation. It appeared to him that simple banishment would be an adequate penalty on a second conviction for blasphemous or seditious libel. It certainly had been represented to him, that the punishment of transportation had hitherto been confined to felonious offences. He therefore proposed that it should be reserved for

cases of return from banishment, and it would thus be substituted to the punishment of death.

The second reading of this bill produced some warm remonstrance from sir J. Mackintosh and other members, on the haste and inconsideration with which a bill enacting a new penalty for an undefined offence was urged upon the House; and a division took place, which gave the following result.—For the immediate reading 190. Against it, 72; Majority 118.

In the committee on the bill Dec. 23rd, Mr. Bernal said, that of all the restrictive measures which had passed, or that were in progress to be passed, he considered this bill the most obnoxious and objectionable. Much had been said, in the course of debate, on the question whether in this country banishment was a novel punishment, or was already known to our laws. He, however, was prepared to maintain that banishment had never been applied by parliament as a punishment, unless by an *ex post facto* law. The first notice we had of banishment was in cases of abjuration of the realm. In those days, if a felon took refuge in a church, he became protected against the law; and if he went before a magistrate, he was allowed to take the oath of abjuration, and to quit the realm. The laws which sanctioned abjuration and sanctuary refuge, were first checked in the time of Henry 8th, and were at last totally repealed in the reign of James 1st. In the time of Charles 2nd, when felonious offences were unusually prevalent

prevalent in Westmorland and Cumberland, persons convicted of them were ordered to be transported to the colonies in America. The act of the 36th of the present King was passed at a time when certain offences of an aggravated nature were committed against the state. This act, he would beg the honourable gentlemen opposite to remember, was not passed as a permanent measure, but was limited to three years. The noble lord should also bear in mind, that this banishment or transportation was not for life, or for a period at the discretion of the judge, but was fixed by the act to a period of seven years, and was applied only to high offences against the state. He would beg the law-officers of the crown to reflect on some of the consequences likely to result from this law, and to solve some difficulties to which it might give rise. Would they tell him, whether a person banished for life would not be ousted from his allegiance to the king? Would they explain whether the children of persons in such circumstances were to be considered as subjects of Great Britain? There was another question: at whose expense were these people to be banished? If they happened to be in flourishing circumstances, they might easily transport themselves; but, if poor, by whom were the means to be supplied? Again, should this country be in a belligerent situation, as it had been before, with all the world, whither was the banished person to go? It was true, the country was not at present at war with any part of

the world; but the case he had put was a possible one, and the crown lawyers were bound to solve the difficulty before the House passed the bill.

Mr. Denman objected to several other clauses of the bill, especially to that which authorized the search of private houses, for the discovery of libels which might be concealed there. He also pointed out the circumstance that this bill went to make liable to the penalties those who printed, published, or "composed," seditious libels. So that if any one thought proper in his own closet, like Algernon Sidney, to write a tract upon the government which might be regarded as a libellous writing, that circumstance might give the parties acting under this bill, a right to search over his private desk to ascertain whether any libels might be found in it.

Sir J. Mackintosh suggested, as an amendment, the insertion of a definition of a seditious libel. Various other amendments were proposed by different members, all of which however were negatived, and the bill passed without further opposition.

Dec. 6. *Lord Castlereagh*, in moving the recommitment of the bill for the prevention of seditious meetings, particularised several alterations which he desired to make in that measure.

The purport of the first of these was the exemption of meetings not connected with the discussion of matters in church or state from the operation of the bill;—such as those held by particular trades on matters connected with their interests. With regard to that clause, which rendered

dered it a misdemeanor in a stranger to be present at such meetings, he submitted whether it would not be enough to make it apply to those who knowingly and wilfully remained after proclamation to the contrary. Neither did he object to the attendance of persons, who having property in a parish, yet resided out of it, provided their property was to a certain specified amount, and had been in their possession a given time. With regard to the suggestions of gentlemen opposite, that the bill ought to be local and temporary, the noble lord declared his decided opinion, that it was expedient to extend it over the whole united kingdoms, but he intimated, that though he thought that all future meetings ought to be deprived of the menacing and tumultuary character they had lately assumed, he should not object to the enactment of the bill, in the first instance, for a term of years not less than five.

After a somewhat desultory conversation, in which several members took part, *Mr. Ricardo* said, he thought that in this discussion sufficient attention had not been given to the importance of the right to be curtailed. If the people's right of meeting and petitioning consisted only in the right of meeting to petition for the removal of grievances, it was not of so much importance, and the curtailment of it was not of such serious interest. But the right was a right of meeting in such numbers, and showing such a front to ministers, as would afford a hope that bad measures would be abandoned, and that

public opinion would be respected. It might be compared, in this view, with the right of the House to address the crown. If the right of that House consisted in passing resolutions only, and if they could not follow up their resolutions by refusing the supplies, and by calling up a spirit of resistance in the country, the crown would despise their interference. It was the same with the right of the people to petition. If they could not meet in such numbers as to make them be respected, their petitions would have no effect. At the same time, he admitted that those meetings were attended with very great inconveniences. It could not be denied, that circumstances might arise, when the government might be fairly administered, and yet distress might arise from causes which the government could not control, and wicked and designing men might produce a great degree of mischief. It did not appear to him that such meetings were the kind of check which ought to exist in a well-administered government; but it was necessary to have some check, because if they left men to govern without any control in the people, the consequence would be despotism. The check which he would give, was to be established only by a reform in parliament. Then, instead of petitioning, and from the worst part of the people perhaps, being the check, by reform that House would become the best check which any government could have, and with that check the people would be perfectly satisfied. He had read with surprise

prise the abhorrence of radical reform expressed by several members of that House. He believed there were among the advocates of that measure designing and wicked men. But he also knew there were a great number of very honest men, who believed universal suffrage and annual parliaments, were the only means of protecting the rights of the people, and establishing an adequate check upon government. He had the same object as they professed to have in view, but he thought that suffrage far from universal would effect that object, and therefore that it would be madness to attempt a reform to that extent, when a much less extensive reform would be sufficient.

Mr. C. Hutchinson vehemently opposed the extension of this measure to Ireland, for which he contended that there was no pretence, and strongly arraigned the general conduct of ministers, which, he said, had been reprobated and despised by every foreign nation.

Colonel Beaumont proposed, that the committee should be instructed to limit the duration of the bill to the 1st of March, 1821.

The *Chancellor of the Exchequer* regretted that he could not concur in the motion of his hon. friend. The evils which they were called upon to remedy, had been growing upon us for many years. In 1812 they had assumed so serious a character, as to call for the imposition of very strong measures. In 1817 they had increased to such a degree, as to require the suspension of the *Habeas Corpus*. From that time

to the present, although checked for a short period by the vigour of parliament, they had been increasing till they had attained the full maturity of mischief,—less than five or six years could hardly tranquillize the public mind; and he should move the limitation to be in the words, “ five years next ensuing, and from thence to the expiration of the ensuing sessions of parliament.”

Mr. Calcraft and some other members strongly urged the expediency of measures of conciliation, and of inquiry into the distresses and grievances of the people.

Mr. Buxton proposed, that the present bill should be limited to a term of three years.

Lord Milton asked, what feelings ought to actuate the House when they passed their judgment on the present ministers, who, after acknowledging the value of the right of petitioning, had come forward and proposed to abrogate it for ever? The only right left by the present bill would be, not the right to meet, but the right to ask an officer of the crown for leave to meet.

The motion of colonel Beaumont was negatived without a division; on *Mr. Buxton's* motion the numbers were—For it, 153; Against it, 325: Majority, 172.

In a committee of the whole House, Dec. 7, the bill underwent farther discussion.

Mr. Brougham inquired, whether it was meant that henceforth there should be no meetings more general than those of parishes, except in counties and towns corporate?

Lord Castlereagh replied, those
also

also which were called by five magistrates.

Mr. Brougham then remarked, that by the terms of this bill, Manchester, Birmingham, Sheffield, Wolverhampton, and other wealthy and populous towns, not corporate, would be excluded from the advantages reserved for other decayed, and comparatively unimportant places.

Lord Compton proposed an amendment, the object of which was, to give the power of calling meetings to 20, or, if it should be preferred, to 30 freeholders of 100*l.* per annum.

Mr. J. P. Grant proposed to extend a similar power in Scotland to "ten persons legally qualified to be commissioners of supply." Both these suggestions were opposed by lord Castlereagh, as concessions which it would be unsafe to make, and were finally negatived by the committee.

On the ensuing night the discussion was resumed with great ardour, and some amendments were acceded to, while others were negatived.

The House, after a long debate, divided on the third reading: For it, 313; Against it, 95: Majority, 218. The bill then passed.

Dec. 18th, *Viscount Sidmouth* moved the reference of the Seditious Meeting bill to a committee.

The *Earl of Carnarvon* argued at some length against the principle, and against some of the particular clauses of the bill; those especially by which a single magistrate was authorized to commit to custody any person at a public meeting holding any dis-

course, or making any proposition tending to bring into contempt the government of the country,—of which his lordship observed, that if this law passed, it would not be safe for an individual, however exalted in station, or independent in principle, to attend a public meeting. If the bill went into a committee, he should move for restriction of its duration to July 1st, 1822.

Lord King objected to it as part of a system of coercion of the worst nature;—he supported the amendment of his noble friend.

The *Duke of Athol* and the *Earl of Morley* supported it on the ground of the dangerous state of the country, and the necessity for measures of coercion.

The *Earl of Donoughmore* objected to the measure generally, but principally opposed its extension of it to Ireland. He said, that the directions, which were to be carried into execution in England and in Scotland, were not one for the manner in which it was to be executed in Ireland. The Irish, indeed, knew how to plan rebellion much better than the English; the latter had no meetings, and paraded the streets with flags and music; the former had private meetings, secret committees, and associations of a nature which he should not deprecate as the noble lord opposite did. They were very well. It almost appeared as if it was the noble lord's intention to teach the Irish how to do this business—to tell them that it was not by marching in large bodies in military array, and in the lock-step; but by proceeding in conclaves of five

or even of twenty-fives; for number, in his country, had found to do very well.

The *Earl of Harrowby* defended some length, the principle of the bill, and enlarged on the necessity for it, created by meetings prodigiously more numerous than had been contemplated by framers of the Bill of Rights, known in this country till now, and composed of a much lower class of people. He concluded, that rational freedom could only be guarded by some restraint of this nature; the law, as it now stood, was not sufficient to ward off the dangers which threatened the country.

Earl Grosvenor rose in reply, the noble earl (*Harrowby*) consulted himself and those who followed him on the overwhelming difficulties by which the measures which had been supported; in the course of his own experience, he had found, in one or two instances, that positions supported by overwhelming majorities were, in the course of six months, overturned. The noble earl rejoiced in the effect already produced by these measures of coercion;—he thought very differently; in his opinion they were more likely to excite discontent and indignation, than to produce good-humour and quietness. The noble lord spoke of an army at Manchester, an army at Glasgow—but if a military force were employed, must not the inference be, that these meetings were put an end to by violence, by the operation of law? It was not by such measures as these,—by employing large armies,—that the people would be-

come quiet and contented; it was by means of conciliation that their affections were to be won. Those who proceeded in a different course, would, in the end, perceive, that it led to very different results. Previous to the French Revolution, meetings of numerous bodies of the people were prohibited; they were put down by force; and this was one of the causes which occasioned this great convulsion. The noble earl had said, that meetings of disaffected persons had lately taken place, to an extent which could not be permitted without great danger. Let them look at the meetings in Yorkshire and other places; they might there see, that persons of large property, as well as those who felt the severe pressure of the times, assembled together. Did the noble earl really mean to say, that meetings of this sort were never to take place? Did he mean to declare, that persons of this description were never to be heard,—that they were never to discuss points of grievance, except when the meeting consisted of certain numbers? Were they surprised, could they be astonished, at the meetings that had recently been held in Yorkshire, and in other districts, when they considered the impoverished state of the country? If the country was, as all persons must acknowledge, in a state of distress and suffering, was it not likely that persons who were affected by the pressure of the times, would meet in large bodies, for the purpose of petitioning? Were they, because those individuals were affected by distress—were they, he demanded,

to

to turn short on them and say, "No! you shall not meet, because you are poor! You shall not meet, because you are that portion of the people who are most likely to be distressed! You shall suffer, but you shall not have the privilege of complaining?" He was opposed to the present bill, because it frittered away the rights of the people; and it was easy to see, that when it passed, no meetings would be called but to pass resolutions complimentary to ministers. The increase of the military establishment, his lordship regarded as one of the most appalling features of the new system; and on this subject he entered into some detail. He was of opinion, that a revolutionary spirit did not prevail in the country. If ever there was a period when the minds of the people were more enlightened than ever they were before,—if ever there was a period when they were more impressed with the purity of the great doctrines of Christianity, it was now.

After a variety of observations, embracing the conduct of juries in the late cases of libel, in which he maintained that they had perfectly performed their duty,—the Manchester affair, in which he affirmed that the persons employed by the police were the first to create tumult and alarm, the distresses of the poor,—the close alliances of this country with foreign despots, and the general course of policy pursued, in which he said he discovered more of the "vultus instantis tyranni" than of the "civium ardor prava jubentium,"—his lordship thus proceeded: The magistracy

were now vested with powers, so increased, that he might say they reached to the furthest verge of the island; but he sincerely thanked God, that there still remained to Englishmen, even when the Crown itself had enlarged its prerogative, one means, and one only, of legally resisting, to a certain degree, the power of the Crown; by those means, he meant, not adverse force; not the sword; not the dagger; but one small thing (in his idea, however, a most powerful one)—the influence of public opinion. It was that which, when arrested, compressed, and confined, would in its expansion carry all before it; it would break opposing bayonets, and bolts, and bars to atoms; and still more powerful gold would vainly endeavour to restrain it. Let them heap Pelion upon Ossa, it would dash them in its struggles to fragments. If it held that national freedom was the right of a people, they would become rationally free: if it deemed that moderate reform was necessary, moderate reform would prevail; if it considered that abuses should be rectified, abuses would cease. All history proclaimed the triumph of public opinion.

After encountering a determined resistance in all stages of its progress, the bill at length passed; its opponents however thought proper to record their objections as follows:

*Dissentient to the Third Reading
of the Seditious Meeting Bill.*

1st, Because the laws of England, when duly enforced, have always been found sufficient to prevent

GENERAL HISTORY. [157

any confusion arising
lar meetings, or to pu-
listurbers of the public
nd a too ready acquies-
the suggestions of mi-
imposing new restraints
rights and usages of the
ven if the provisions of
re in themselves neither
unreasonable), appears
ore calculated to add
calumny, and to exas-
content into hostility,
feat the designs of tur-
en, or to reclaim the
affections of a mistaken

because the powers in-
/ this bill to magistrates
to great abuse, and
disobey them exposed
ul and disproportionate
nt. On the surmise that
is present in a crowd,
application of a vague
to the words of a no-
to the language of an
justice of the peace may
a meeting to be unlaw-
an Englishman may be-
lon for continuing, even
inadvertence, half an
spot where no breach of
has been committed.

Because the numerous
s, alleged in the preamble
occasion and justifica-
ie bill, have been con-
particular districts, but
ictions and penalties
re generally extended
ole kingdom, and even
l, where no such prac-
ever prevailed.

Because the bill, com-
r the restrictions of the
ch have already passed,
een announced in this

House, is obviously intended to
fetter all free discussion, and to
repress, if not stifle, the expres-
sion of public opinion.

Large meetings, in periods of
political ferment, furnish the
means of ascertaining the de-
signs, and measuring the strength
of the mal-contents: they tend to
disunite and discredit the rash
and mischievous agitators of a
mistaken multitude; and they not
unfrequently serve as a vent,
comparatively innoxious, of that
ill-humour and discontent, which,
if suppressed, might seek refuge
in secret cabals and conspiracies,
dangerous to the safety of indi-
viduals in authority, and subver-
sive of the peace and happiness
of society.

(Signed)

VASSALL HOLLAND,
AUGUSTUS FREDERICK,
THANET,
DONOUGHMORE,
GROSVENOR,
ERSKINE.

House of Commons, Dec. 14.

Lord John Russell rose to bring
forward a motion of which he had
given notice respecting parlia-
mentary reform. His lordship
began with stating the anxiety
under which he presented a mea-
sure for which the present period
might appear to some peculiarly
ill-adapted. He was not unaware
that there were many persons in
the House and in the country op-
posed to all theoretical advan-
tages to be derived from a change
in the constitution of parliament.
These were willing that the con-
stitution, like the temples of the
gods at Rome, should remain
with all its dust and cobwebs
about

about it, and thought it profane in any hand to remove the corruptions by which it was defaced. Their opponents, on the other hand, the champions of radical reform, seemed desirous to raise their name by applying a fire-brand to a sanctuary which had stood for ages. But without entering on a discussion of abstract principles, he wished to draw the attention of the House to the unrepresented towns, many of which had risen into places of great commercial wealth and importance, while others had sunk into decay and become unfit to enjoy the privilege of sending representatives. On reference to the history of parliament, it would be found that the principle of change had been often acknowledged, and the suffrage withdrawn and conferred on various occasions. Of this the noble lord proceeded to adduce several examples; and after making various remarks on the practical evils resulting from the corruption of small boroughs, most of which were represented by gentlemen who sought a seat in the House from private and personal views, and who uniformly voted with government, he passed on to the evils of non-representation to the populous towns to which he had alluded, and the benefits to be anticipated from extending to them this privilege;—a privilege which could only be extended to them on this principle of change, since neither the principles of the revolution nor the act of union would permit the sovereign to issue his writ for adding to the number of members. After expressing at large both his veneration for the constitu-

tion, and his ideas on the reform which it required and could receive, his lordship, amid the cheers of both sides of the House, proposed several resolutions which went to establish the principle of change which he had laid down, and some rules respecting the voters of disfranchised towns on whom corruption should have been proved. The last resolution was for the disfranchisement of the borough of Grampound, the corruption of which had already been proved in the House.

On the suggestion of *Castlereagh*, who acknowledged the moderation with which his proposal of the noble lord had been brought forward, and expressed a desire to concur in objects to a certain degree, to conciliate whatever differences of opinion might still subsist between himself and the mover, lord John Russell drew his present motion. A few days afterwards, he brought forward a bill simply for the disfranchisement of Grampound and the transfer of its representation to some populous town; which he read a first time, and the second reading was deferred by his ship till after the holidays.

House of Commons, Dec.

Lord Castlereagh moved for leave to go into a committee on a bill for a newspaper stamp bill.

Mr. Macdonnel said, that the House was now called upon to sanction a further and fundamental alteration in the representation of England, by passing a measure which would affect the liberties of the country in its most important

GENERAL HISTORY. [159

public press, which de-
be guarded with no less
han the sacred right of
petition. This demand
led, like the other re-
asures, on the alleged
ncy of the existing
igh it appeared that no
been made to carry
into execution. The
gainst the press, which
consider in connection
other, would go further,
vinced, than any thing
yet been attempted in
the liberty of the coun-
appeared, that at the
5 years, the people of
ry, having, after a suc-
miscarriages and dis-
ch they bore with un-
fortitude, enabled the
Wellington by their
bring the contest to a
conclusion,—were not
l worthy to enjoy the
f their ancestors. After
sity of light which had
upon them during that
ey were rendered inca-
bearing their liberty.”
d! where was their li-
he people would loath
victories which led to
sult, and all the glory
could not compensate
a single atom of their
On the first provision of
out to be committed,
imposed a stamp duty
say little, because it
him the least efficacious
tant part of it, and be-
ugh he had been a good
gered by the petitions
night, he still thought
thing of the kind might
ary. The provision in

this bill to which he chiefly ob-
jected, was that which prevented
the publication of any vote under
a certain size without security
previously given by the printer.
He would maintain that this pro-
vision was a gross violation of the
constitution; for hitherto no se-
curity had ever been demanded
in this country, unless from a
person who, by some overt act,
had given reason to believe either
that he had transgressed, or that
he was about to transgress, the
law. But to exact security from
a man who had neither violated
the law, nor given any reason to
believe that he ever would violate
it, was to pronounce him *a priori*
unworthy of exercising his rights;
it was an anomaly in the adminis-
tration of justice. He held it to
be a primary principle of the Eng-
lish constitution, that an English-
man might publish whatever he
pleased on his own responsibility;
but now, for the first time, it was
required of him to find others to
share in this responsibility. While
one spark of the spirit of liberty
remained in the country, such a
measure could not be tolerated.
Should this measure be carried
into effect, he would ask any gen-
tleman in that House, if he would
be willing to become security for
his nearest and dearest friend,
when the consequence might per-
haps be his irretrievable ruin?
Great as might be the inconveni-
ence and evil of this provision to
printers and publishers, the great-
est hardship would fall on authors;
and among those who would be
affected by it, he would take leave
to say, were some of the most
eminent writers of the age—men
who, by their labours, had ren-
dered

dered important services to the constitution and the country. But, independently of the hardship to individuals, the measure would be attended with important consequences to the community; for it was not to be supposed that any man would, after this, record the transactions of the day, unless he could afford to lock up 1,200*l.*;—600*l.* for his printer, and 600*l.* for his publisher.

After a number of remarks more peculiarly applicable to the blasphemous and seditious libel bill than to the one immediately under consideration, the hon. gentleman concluded by calling on the House to cling with gratitude to the respectable part of the press, and to cherish it with a scrupulous and religious care.

Mr. Sergeant Onslow thought that the hon. member had taken a most erroneous view both of the principle and object of the bill. He denied that authors would be in any degree affected by it; it applied to printers and publishers alone, and of these, principally to obscure publishers;—to persons who urged on by the desire of gain had no fear of imprisonment, and would publish any libel, however infamous. He was as warm a friend to the liberty of the press as any person, but he confessed he did not think these bills went in the slightest degree to infringe those liberties. These bills had been compared to a censorship; but he thought there was a wide difference between them and the measures described by *Locke*, and by *Algernon Sydney*. There was a wide difference between an *imprimatur* which went to prevent publica-

tion, and a decent check upon those which might be published. His firm opinion was, that the evils which existed were attributable to the circulation of the most flagitious libels during the last 26 or 27 years, by which he would not say that the great majority of the people had been infected [hear!] but by which an almost incalculable mischief had been accomplished. He would say, that the great majority of the people were still sound; but at the same time, if effectual means were not taken to check the continuation of those abuses, it was impossible to anticipate the ill consequences which might result from them.

After *Mr. R. S. Graham* and *Mr. Marryat* had expressed themselves in strong terms against the measure,

Mr. Denman said, he could not suffer this bill, which formed a branch of that system of coercion which had been adopted by his majesty's ministers, to pass, without calling upon those who, having done something towards the promotion of the system to which he alluded, he hoped they would not now do that which would have a tendency to change the whole system of the law of the press of England. If any thing could induce those gentlemen who held the balance, as it were, between the two sides of the House, to pause before they acceded to any further restrictions upon the rights of the people, it would be the obdurate perseverance with which it was attempted to place the whole laws of the country at the mercy of the ministers of the crown. If they

ings
d; i
ms o
e for
not
The
bo
hit
al
e
e
e

it been adopted. He repeated that the powers granted by this Stamp act was a perfect anomaly in the history of England, and amounted to nothing less than an *imprimatur*. His learned friend was perfectly right to refer to the period of Charles 2nd; for he believed the object and aim of his majesty's government was, if possible, to suppress those liberties which the people had since obtained. That they would succeed, he believed was impossible; but even in the attempt they would alienate the people, and thereby produce those consequences which were the natural result of their wild and absurd dabbling in legislation.

Mr. Bankes considered the present measures of restriction as the salvation of the state, and maintained, that now, if ever, the press was to be restrained, when it had grown up to so monstrous and dangerous a degree of abuse. Those gentlemen who talked of a free constitution, and quoted Blackstone and other elementary and accredited writers who had affirmed the necessity of upholding it in its present state, forgot that there was no sort of conformity between their times and the present. Blackstone could never have contemplated the increase of that class of publications they were now called upon to consider. But he totally denied that the press of this country had ever been free and unshackled. Here the hon. gentleman went into an historical detail of all the measures by which, at different times, the press had been placed under still more arbitrary regulations than those now contem-

plated. He severely reprobated the cheap tracts which excited discontent and sedition in the vulgar, and reminded the House that it behoved them narrowly to watch an evil which threatened the destruction of the party, the demoralisation of the class, and consequences thereof dreadful. There was another evil which he thought had occurred to some gentlemen, as connected with the evil they were considering; his part, he could not help pointing out the prudence of carrying on the education of the lower classes to the extent which had been proposed.

Mr. Abercromby argued against the precedents adduced by *Bankes*, and felt himself strained to give his opposition to the bill.

Mr. H. G. Bennet said for himself, though objectionable from every point of view, did not appear to him so alarming as the speech of the hon. gentleman (*Mr. Bankes*). There had been so much constitutional a speech delivered from the walls of that House in the enactment of the arbitrary measures it described. Those measures and arbitrary acts, which were collected as precedents for similar measures now, if good things, would prove to be so. Adverting to the regret expressed by *Mr. Bankes* at the present state of education, he said that the gentleman must also remark on the progress of religion and morality, for, without education, the feelings of religion could not be understood or appreciated, and the duties of morality taught.

GENERAL HISTORY.

d. After a few other reasons on this subject, he proposed to the bill before the which he opposed, as the ould raise the price of lge to the poor, whose ment was principally deom small tracts. With o the clause inflicting peefore publication, by de; securities which must be ed as equivalent to a 600*l*. he thought it would irely that useful body of o supplied cheap publica- the poor. It threw the ade into the hands of the nd affected a privilege than that of trade—the e of every Englishman to what he pleases, subject a punishment for the abuse privilege to the injury of

All the members on the de who supported this other restrictive measures, d to do so from a desire rve the constitution. But as the constitution? It the forms of the consti- hat composed the consti-

tution, but the ble those forms protec the same manner as the law were not the law, on s of a court of justice were not amini- nistration of justice. The constitution was only the body of rights and privileges which we enjoyed under our political establishments; and among these was pre-eminent the freedom of speech and writing. Gentlemen who professed to support the constitution, while they allowed the destruction of its most essential advantages, might live to repent the day when they drew such a distinction, and forgetting the substance, adhered only to the form. The bill was the greatest invasion of the constitution, as it made it to depend upon a man's fortune whether he should have the right of publishing his thoughts to his countrymen.

The bill underwent farther discussion and considerable opposition in the after stages of its progress; but it finally passed both Houses, and received the royal assent on Dec. 30th.

CHAPTER X.

FRANCE.

Proposal for changing the Election Law carried in the Chamber of Peers.—Fifty-four new Peers created in consequence.—Election Law in the Chamber of Deputies.—Report of Commissioners on it.—Statement in the Chamber of Deputies respecting the Persecution of Protestants in the South.—Threatened Renewal of Disturbances at Nismes.—Protestant Petition.—The Budget.—Law on the Liberty of the Press.—Society of Friends of the Liberty of the Press.—Debate on the Return of Exiles.—State of the French Church.—Letter of the Clergy to the Pope.—Reception of the Missionaries at Brest.—Ordinance for the Building of Churches.—Report on the State of the Establishment.—King's Speech on re-opening the Chambers.

THE two chambers of the French legislature were sitting at the commencement of the year 1819, and in the month of February a motion was brought forward in that of peers which led to an important political result. Count Barthelemy, once a member of the noted Directory, who seems in this instance to have lent himself unconsciously to the designs of others, proposed, that the chamber should take it into consideration whether some change might not advantageously be made in the law of elections. The administration instantly arranged themselves in opposition to this measure; count de Cazes did not hesitate to declare that a more fatal proposal could not have issued from the chamber than that of overturning a law so dear to an immense majority of the nation; and in this sentiment he was joined by the principal members of the liberal or consti-

tutional party. A violent debate ensued, in which personal reflexions were not spared: M. Barthelemy himself, suddenly enlightened as to the tendencies of the measure, deserted his own proposal and declared that he should vote against it. Such, however, was the strength of the ultra-royalist party among the peers, by whom the motion was supported, that the previous question, as it may be termed, was carried by a majority of 89 to 49.

This was a serious blow to the ministry; and after the personal influence of the monarch had been vainly exerted with the chiefs of the *ultras* individually, they judged it necessary to recover a majority in the chamber by an extraordinary exertion of the prerogative. It was determined in the royal cabinet, that 54 new peers should be created, which, with the recall of 22 more, who had

GENERAL HISTORY. [165

been struck off the list by ordinance of July 24th, 1815, and secure a preponderance to measures of administration.

At the same time a general alarm had sounded through the count-petitions against the medi-attack on this important article of the charter poured in all quarters: and a member of the chamber of deputies declared, that for the sake of quieting the public mind, the law required an interval of ten years before any measure carried by the upper chamber could be introduced to the lower one, and on this occasion he dissented. This unconstitutional proposition was negatived; a firm resolution was evinced by a part of a great majority of deputies, to support the electoral law without alteration, as long as the question should be early submitted to their decision. On the other hand, the phantom majority of the house of peers defeated a measure of ministers respecting a change of period at which the financial year should hereafter commence; and the discord of the two chambers was only terminated by the notification of the elections, which took place at the beginning of March. On the 30th of the same month the house of deputies resolved to appoint a secret committee, to receive the report of a commission appointed to take into consideration count Barthelemy's motion: it was as follows:—

You referred to a commission the examination of a resolution of the chamber of peers of the following tenor:—
That the king be prayed to

propose a law, tending to give to the organization of the electoral colleges the modifications the necessity of which may appear indispensable.

“ Your commission recommends the rejection of this proposition, and they have charged me to develop to you the motives of its decision.

“ The law of elections has scarcely existed two years. It was not ranked amongst our institutions until it had undergone in both chambers a deep and solemn discussion.

“ If the proposition be taken literally, it must be allowed that it is reduced to a very simple question.

“ It does not say, in effect, that the modifications of the law of elections are indispensable; it does not even say that modifications appear indispensable; it only anticipates an event when modifications may appear indispensable, and for this latter case it requires a law.

“ But to whom can these modifications appear indispensable? To the king doubtless, to whom the proposition is addressed. But the king, invested with the initiative, does not require to be warned to make use of it when the necessity of so doing may appear to him indispensable. Is it in his duty that they would pretend to instruct him? The mode of doing it would be little respectful. Is it general advice that they would give him? But what guarantee is there that he will hear it at the pleasure of those who offer it? Is it, finally, on a determined subject that they pretend to invoke the initiative? In this case it should be distinctly

distinctly indicated; for it ought not to be prejudged what wisdom the king would display in a proposition for doing that which to him might appear indispensable.

"During the two years that the law of elections has been executed, has the convocation of the colleges at the chief town of the department been attended with inconveniences which demand prompt remedies? No; every thing was conducted with facility, calmness and decorum. It appears even, that in this point of view, as in many others, it may be said, in reference to France and England—*Littora littoribus contraria*. At the same moment that elections at the other side of the Channel displayed scandalous and violent scenes, our's seemed to have opened a new career to French urbanity, and to benevolence farther resources for its exercise.

"Nevertheless, as one inconvenience of the assembling of the electors at the chief town of the department, it is represented that a third of the electors had no share in the last elections.

"Your committee looked in vain for proofs of this statement. Since there have been elections in France, the number of voters has never been so considerable, in proportion to the number of electors, as at the last elections.

"But during two years, has not some contingency interfered to interrupt the harmony of the law? Not one has been represented. The only complaint is, that the extension, already so liberal, of admitting to the rights of elective franchise every citizen who pays for a patent 300 francs, is become the source of the most shocking abuses by the mode of

collecting this tax. As it is by twelfths, and that a determined time is not required to acquire by this channel political rights, it follows, say they, an individual may, by once paying 25 francs, vote in an electoral assembly.

"Your commission determined where, and in what electoral college, individuals have been received who have only been recently subject to the tax on patents, and have only acquired the twelfth. Nothing of this nature, for instance, took place in Paris, where four patents were delivered in the interval between the convocation and conclusion of the electoral college. And nevertheless it is from Paris, and on the occasion of the elections of Paris, that the first emanated against the abuse of patents."

After dwelling upon the deficiency of all proof of the chiefs attributed to the present law of elections, the report states that the commission had anxiously investigated the details which had been adduced in support of its modification, and concluded by regretting that men so easily have excited general alarm by entertaining notions of exaggerated and unfounded evils, earnestly recommend the members to listen to the public voice which had been so strongly energetically re-echoed from all quarters of the kingdom.

Finally, the motion was rejected by a majority of 56 votes out of a total of 244.

In the course of the debate M. de Villele, a leader of the ultras, observed, that in one department 600 more electors

voted in 1818 than in 1815; and that such a difference could only be explained by some vice in the law;—a remark which led to disclosures little anticipated by the speaker. M. de St. Aulaire, member of the department of the Gard, instantly rose, and said that it was his department which was meant, and that he would explain the cause of the occurrence. All France, he added, knew that there were more electors in 1818 than in 1815; but all France did not perhaps know, that in the former year 17 Protestant electors were murdered in their way to the electoral college.

M. de Serres, the keeper of the seals, confirmed this statement, which had been listened to with strong marks of emotion, and he proceeded to unfold, in all their enormity, the crimes proceeding from political fury of which this department had been the theatre, and the Protestants the victims, in the years 1815 and 1816. "All possible efforts," said he, "were made by the government of the king to bring to justice the assassins of general Lagarde, who was attacked at the moment when, in the name of the king, he came as a minister of peace. The author of that crime was arrested, delivered over to the tribunals and convicted of having fired upon general Lagarde, while, with his sword in his hand, that officer was endeavouring to appease the multitude. The jury declared, that the homicide was rendered necessary by the want of legitimate defence"—[a movement of horror in the assembly].—"The law directed the president of the court of Assizes to set the ac-

cused at liberty. General Ramel was wounded in the tumult of Toulouse. Carried to his apartments, he was assailed on his death-bed by furious wretches, who tore his body. These ruffians, being brought before a court of justice, were acquitted by the jury, on the ground 'that the blows which were inflicted on the general when in bed, had not determined his death, because the wounds which he had previously received were mortal!'—"After some moments of interruption, the minister continued:—"Shall I speak, gentlemen, of a man whose name I feel a horror in pronouncing? Tres-Tallion, accused of frightful crimes, became the object of prosecution, at the instance of the king's law-officers. The judicial authority objected to his being tried in the same city where his crimes were committed, because they entertained a fear for the freedom of the court, from the consternation of the citizens and the terror which the criminal inspired. He was accordingly transferred for trial to Riom. Would you believe the result? A single witness could not be found to depose against Tres-Tallion, and a hundred presented themselves to vouch for his innocence. The terror these assassins inspired was so great, that justice could not find witnesses who durst give evidence for the prosecution, nor a jury who would have dared to find them guilty. Finally, the assassination of M. Fualdes was a party crime, and the government was obliged to exert all its force to protect the action of justice, and to repress those efforts which

the

the partisans of the criminals made to rescue them from execution."

This striking disclosure was rendered still more interesting and important by the tidings of a threatened renewal of similar horrors in the city of Nismes, which had just reached Paris.

The news of the triumph of M. Barthelemy's proposition in the chamber of peers had elevated the hopes of the ultras in this city to such a height, that they believed it was once more in their power to insult and attack their Protestant fellow-citizens with impunity; and they were well disposed to exert the privilege. The first symptoms of disturbance were manifested at the theatre, which was unusually crowded on account of the appearance of an actor who was particularly patronized by the royalists. A large garland of lilies was thrown upon the stage; clamours and menaces against the Protestants repeatedly interrupted the performance; and these devoted sectaries were attacked on their return to their houses by men armed with pikes, and led on, amongst others, by the infamous Tres-Tallion.

The prefect of Nismes was at this juncture in Paris; the mayor was deficient in energy; few troops were left in the town, and the Protestants perceived that they had only themselves to rely upon. Resolved not again to submit tamely, as in the year 1815, to persecution and massacre, they now stood on their defence; for several successive evenings the boulevard of the city was occupied with the two adverse parties, who drew toge-

ther to the number of several thousands, and remained observing each other's motions. At the same time the Protestants had conveyed intelligence of the state of affairs to their brethren of villages of the Cevennes,—brave and religious peasants who still glory in the successful resistance of their ancestors to tyrannical bigotry of Louis. These mountaineers immediately sent deputies to Nismes, found the two parties in the act of mutual observation which has been described. One of them immediately walked up to the top of the boulevard where Tres-Tallion and his followers were posted, and undismayed by menaces, told them, that if the laws did not defend the Protestants, they would defend other defenders; if one drop of Protestant blood were spilt, to the Catholics of Nismes; *mountains would descend*; and warned them to beware of the moment. This spirited intimation had probably its effect. At the same time troops arrived from Montpellier; the prefect returned, the ultras were overpowered in Paris, and tranquillity was restored to the Protestants of the south.

Respecting this sect, which appears to flourish in augmented zeal and increasing numbers, may be worth while to mention the following circumstance. That on February 15th, the porter of the committee of petitions detailed to the chamber of deputies the complaints of a number of Protestants, respecting the mode in which the colleges of education were conducted and administered thro-

GENERAL HISTORY. [169

at the south of France, by which Protestant children were debarred from the enjoyment of the religious liberty secured by the charter to all French citizens. The petitioners stated, that the instruction of their offspring was chiefly directed by Catholic priests, whose influence inspired them with just alarm; that the parents had no opportunity of interacting that influence by religious exhortations to their children; and that from the existing constitution of the colleges, they could not provide a substitute for parental instruction by appointing masters of their own communion to superintend the Protestant youth. They therefore prayed, that colleges specially for the instruction of Calvinists and Lutherans might be established in

all the great towns, particularly in Bourdeaux.

Two deputies strenuously supported the petition, and it was referred to the minister of the interior.

On March 15th, the minister of the finances unexpectedly came forward in the chamber of deputies with his estimates for the expenditure of the year 1819.

The first item of charge was for the interest of the consolidated and funded debt; the sum granted for which last year was, 180,000,000 francs, or about 7,500,000*l.*; whereas, for this year there would be necessary a provision of 232,000,000 francs, or above 9,500,000*l.* sterling. The civil list was to be, as usual, 34,000,000 francs.

Expenses of the Ministry:—

	Francs.		£.
Foreign affairs	8,000,000	about	330,000
Justice	17,400,000	.....	725,000
Interior	102,700,000	.....	4,270,000
War	192,750,000	.....	8,300,000
Marine	45,200,000	.....	1,875,000
Finance	257,000,000	.....	10,708,000

In round numbers	623,000,000	£.26,208,000
------------------	-------------	--------------

Including the interest on the sinking fund, and the civil list, the whole supply would be 9,210,000 francs, or 37,050,000*l.* representing an augmentation of expense, as compared with the former year, of near four millions sterling. This augmentation, though principally arising from stipulated payments to foreign powers, occasioned some murmurs. A few days after, M. de Villèle detailed to the chamber the results which had been derived

from the enforcement of the measure which had been decided upon, of applying the funds arising from the sale of forests for the benefit of the sinking fund. The hopes entertained from this resource, he observed, had not been deceived. The sales only commenced in the month of June last, and offers of purchase had arrived from all quarters of the kingdom. Up to the end of 1818 the sales had been effected at an advantage of more than

170] ANNUAL REGISTER, 1819.

than one-sixth above the estimated value. He concluded by congratulating the chamber upon the future appropriation of the revenue, which would be exclusively destined to consolidate the national institutions and promote the public welfare.

The minister of finance afterwards ascended the tribune: he observed, that the chamber had been informed, that the exigencies of the state for 1819 required a sum of 889,210,000 francs; and that it had been demonstrated to them, that the country had resources to meet them without adding to the existing taxes. A country whose resources were artificial could not have surmounted the crisis which France had endured; but their territory was rich in its soil, its trade, its credit, and above all, in an industrious population. The promptness and exactness with which the taxes were collected, proved incontestably the power of the contributors. The minister proceeded to review the various branches of the public revenue: the land-tax, he observed, was estimated at the sum of 363,553,000 francs for 1819. This tax was partially grievous, on account of its unequal assessment; but ministers, though they had its defects in view, judged it infinitely preferable to wait a less hazardous and less necessitous period for retrenching their resources by reducing it. A long peace would admit of great alleviation; and he entertained the hope, that next year some measure might be adopted favourable to landed proprietors.

After passing some compliments on the firmness and loyalty

of the people of France, whose resources were unshaken, he proceeded to enumerate the produce of the several taxes, &c.

France.

The direct contributions he expected would produce....	363,558,00
The administration of the domains, the registry, and stamp duties.....	163,566,00
The Forests	17,600,00
The Customs	113,013,00
The indirect contributions, including the produce from the sale of Tobacco.....	174,834,00
The Post duties.....	22,460,00
The Lottery (more necessary for its produce than desirable in its nature)	12,500,00
Salt	5,298,50
Remaining in the Treasury	5,180,00
Reduction from Pensions and Salaries	11,200,00
	<hr/>
	889,210,00

About the same time an act was passed for the abolition of that opprobrium of French legislation in the eyes of its neighbours, the *droits d'aubaine*.

The important subject of the liberty of the press,—or rather of the laws by which it was expedient that this liberty should be restrained,—was the next which engaged the attention of the chamber of deputies. The discussion was prolonged through several sittings; a petition was received from the Paris journalists, in reply, for the modification

son

GENERAL HISTORY.

the severer provisions of bearing on the editors of rs;—and several amendments on other points were proposed by different members. The remarkable of these retorts on religion;—or this country would be asphensous libels. It used, that to the article penalties for outrages blic morals, should be e words, “against the the state, or any other.” d conversation immensued, in which one proposed to substitute “religion” generally; suggested the omission rms “public morals,” keeper of the seals opposed the amendments, and ly deprecated the introduction of any mention of religion interfering with the honor of controversy, which ly become more violent ted or repressed. The s adjourned; and on its n an amendment prostrages “against public ous morals,” was atried. The provisions w against literary ofere certainly less pernicious the censorship which existed, to the in-free inquiry; but they rded by a considerable ng the French as far

By this party, a kind ociety had been formed, a twelvemonth before ishment of the existing —which now began to ced as an object of jea-the ultra-royalists. It d, “The Society of of the Liberty of the

Press,” and number to 250 members, among were included many a s, military officers, several met of the chamber of deputies distinguished in what is termed liberal party, and a few people meetings took place alternately and as if casually, at the house of the more considerable members; by this contrivance an article of the penal code was evaded, which subjects to the absolute control of government all societies, consisting of more than 20 members, which shall meet at a stated time and place to discuss religious, political, literary, or other subjects. It was understood that the society, in furtherance of its objects, had exerted great activity in the elections for deputies; and that it had zealously promoted the signature of petitions for the recall of certain classes of exiles. A committee of nine members, appointed to collect information respecting candidates for the representation, had been carrying on an active correspondence through the departments; and it was insinuated in the chamber of deputies, that the government had thought proper to resort to the expedient of causing their letters to be opened at the post-office. No other step however could be taken against a body which sedulously restrained its proceedings within the letter of the law: the society still exists and flourishes, and may perhaps be regarded as a useful counterpoise to the ultra-royalist associations which are known to subsist and to carry on intrigues in various quarters of the kingdom.

Certain petitions to the chamber

ber of deputies, that the chamber would propose to the king to authorize the return of all exiles, without distinction of classes, gave occasion, in the month of May, to a brief but animated discussion. The commission appointed to report on the subject had voted, by a majority of 5 to 4, for passing to the order of the day. M. Caumartin, one of the minority, then delivered a speech in favor of referring the petitions to the president of the council of ministers. In answer to this, the keeper of the seals declared, that with respect to such of the exiles as had only been sent out of France for such a period as the public safety might require their absence, their treatment might safely be entrusted to the royal clemency. "But for the regicides," added he, "never shall they return; except in such cases of age or weakness as the king may be pleased to consider worthy of indulgence on grounds of common humanity.—I demand the order of the day." The tone of decision thus assumed by the minister was successful: the chamber refused to hear such members of the *liberal* party as attempted to reply; and the order of the day was carried by a great majority. Soon after, the king was pleased to authorize the return of five out of the 38 political offenders banished by the ordinance of July 24th 1815. Marshal Soult was one of the persons thus restored to his country. Several of the number had been previously recalled, and it was understood that the same favor would gradually be extended to all, except those who had given

their votes for the death of the late king.

Some documents of considerable interest respecting the state of the Catholic church and religion in France, have been made public in the course of the year. The first of these was a letter addressed to the pope, by the cardinals, archbishops and bishops of France, which was published at Rome in French and Latin. It is filled with complaints of the unhappy condition to which the French church has been reduced, emphatically described in the following passage:

"Indeed, most Holy Father, and we cannot make the statement without the most profound sorrow, since the moment when brighter days seemed to have succeeded to the storms by which we were for many years assailed, the state of the church, far from being ameliorated in France, is become, and daily becomes, more deplorable. Not only we have not felt the weight of our sorrows alleviated, but it still bears heavy on us; and the time, perhaps, is not far distant when it will seem impossible to raise up our ruins. The ecclesiastical discipline is relaxed, a great number of dioceses are not sufficiently governed, the faithful wander like "sheep without shepherds," the ecclesiastical establishments languish, the body of the clergy is weakened by losses which the small number of pupils of the sanctuary, often shackled in their vocation, disquieted in their instruction, or discouraged by the aspect of misery and the disgusts which await them in the exercise of the sacred ministry, never can repair. Religion

attacked on all sides. The missionaries seem to unite all eyes against her, and proclaim themselves nothing less than the annihilation in this kingdom. Impious books fly about, and pernicious doctrines spread like a gangrene. Satire and calumny are weapons eagerly employed against the apostolic missionaries, who, consumed themselves in the work, with a marked success, return to the faith, frequently to peace and joy.

To complete our affairs we have seen the very religion publicly banished by repressive laws, and thus the corner-stone, without which no social edifice can be built. The bishops who govern, those who are despoiled, the sees actually vacant, all in concert, being subverted and oppressed under the innovations which were introduced by a foreign tyrannical dynasty; reduced to combat they must infallibly be defeated; and in a given time, — perhaps, than that which elapsed since the usurpation, — the empire of France will fall never to rise again."

The missionaries here referred to were a body of zealous ecclesiastics, not ostensibly, at least, employed by the court, who perambulated the towns and villages, exerting their utmost efforts to arouse the religious affections of the people in behalf of the true faith. It is said, that in the market places of all the places which they visited, they

erected large iron crosses, on which figures of hearts were engraven, each of them inscribed with the name of one of the faithful. In the town of Brest, a strong disposition was manifested to prepare a rude reception for these emissaries of a faith which had lost the respect of the multitude. The authorities did not at first interfere with energy; but the prefect afterwards made an offer to the bishop to place the public force at his disposal; to which the prelate cautiously replied as follows:

"Sir,—I may be permitted to express some surprise, that under the government of the king, who has given a charter that assured liberty of worship, and who has proclaimed the Catholic religion the religion of the state, this religion cannot enjoy this liberty at Brest. I require only the protection of the law, not its severity. It is not for me to dictate to the authorities the manner of causing it to be respected."

The same prelate also addressed a letter to the mayor of Brest, in which he thus expressed himself:

"Having received an assurance from you, and all the members of the Council of the Commune, that it would be impossible to maintain the public tranquillity if the missionaries were permitted to fulfil their function, and in accordance with the wishes expressed by a certain number of fathers of families and of respectable citizens of Brest, assembled at the mayor's house, who shared the same feelings of apprehension, I have thought proper to order the suspension of the mission."

sion. I must, however, deplore being obliged to adopt such a determination, and to see the religion of the state prevented from enjoying at Brest the liberty which the charter guarantees to every worship, and this city, always the object of our tender solicitude, deprived of so great a means of salvation. I conceive I proved to you, and also to the council general of the commune, that no personal fear could have extorted such a determination from me; but when the magistrates of a town assure me, that they cannot answer for the public tranquillity, I must with sorrow yield to the imperious necessity."

A telegraphic dispatch arrived on the same day. It contained these words—"Punish the guilty." But the magistrates had already come to their determination, and the mission was dismissed.

In the month of September a royal ordinance was published, directing the erection of five hundred benefices and chapels of ease in dioceses where the places of worship are found insufficient, and containing various other regulations respecting ecclesiastical affairs. It was preceded by a report from M. de Cazes, in which the minister thus pleads the cause of a suffering and humiliated establishment.

"Your majesty has ordered me to propose the employment of the million of reserve included in the budget for my department, under the head of ecclesiastical expenses. Your majesty's intention has always been, that that sum, as well as the funds, resulting from former reserves which

remain unappropriated, should be distributed this year, in extraordinary succours or in permanent ameliorations, in all the essential branches of the services of religion." The report then states what has already been done for the restoration of religion. It is remarked, that the wounds of the French church have been so deep, that they can only be completely healed along with those of the state; but the time is not far distant when both will disappear under the influence of a paternal and repairing government."

"Religion confined to its duties, which are so many benefits to society, is the support of states, because it is the safeguard of morals and the supplement of laws. Foreign to the exercise of the civil power, it is only connected with it by the assistance which it gives to or receives from it, and which is employed for the advantage of the people alone. Justice and policy require that every thing which is necessary should be granted to it, in order to enable it to fulfil this important and salutary vocation. In a state in which the political powers and the rights of the citizens are regulated by a constitutional charter, to support religion is to support the unfortunate whom it consoles, morality which it elevates, and virtue which it creates and maintains: this is not indiscreetly augmenting temporal authority, which the enlightened wish of the church does not require; it is merely procuring to that influence, entirely moral and spiritual, which religion employs in the interest of governments, and of which they would vainly desire

GENERAL HISTORY.

to deprive it, the means of
ing itself, and acting with-
ng discredited by the want
er to do good, and to as-
se whom it ought to com-

honoured in its misfortunes
virtues which it has dis-
in the midst of persecu-
e Church of France needs
eat riches in order to be
and respected; but she
g been oppressed by po-
contrary even to the in-
of the state, which requires
the parts of which it is
ed should enjoy advan-
that belong to them, in
that they may be united,
cur equally in the public
."

r a detailed statement of
ounds of the royal ordi-
the report concludes as
:—

us, without any new ex-
your majesty, by a con-
gression, ameliorates the
; and fixes the future state
clergy. Trifling sacrifices
; treasury become great
; for the church, by strik-
manifesting what public
expects from morality and
; and what the sovereign
to be done, in order to
t the clergy honourably in
us modesty of their wants
shes. It is in the lower
of the clergy, if the sub-
of a vocation every way
sacred will permit this
ge to be used,—it is among
lesiastics placed nearest to
or, by their situation and
luties, that your majesty
to be distributed benefits,
far from detracting from

the dignity of the
will furnish the bish-
means of extending to
points of their dioceses,
lutory influence by which
participate in the d
watching over the mai
of respect for public peace
the laws of the state."

The concordat still r
a state of abeyance.

After the summer re
chambers were re-open
vember 15th, when the
nounced the following spec...

Gentlemen,—The first wish
my heart, in appearing a
amongst you, is to acknow
the blessings which Prov
has been pleased to bestow upon
us, and those which it permits us
to expect in future.

My family is increased; and I
may hope that my remaining
wishes may be accomplished.
Fresh supports of my house will
form new ties between it and my
people.

Our friendly relations with the
different states of the two worlds,
founded on the intimate union of
the sovereigns, and on the prin-
ciple of a mutual independence,
continue to form the pledge of a
long peace.

By the happy result of my ne-
gotiations with the Holy See, our
principal churches are no longer
deprived of ministers. The pre-
sence of the bishops in their dio-
ceses will establish order in all
parts of the ecclesiastical admin-
istration; they will there pro-
pagate the respect due to our
holy religion, and to the laws of
the state. We shall preserve
untouched the liberties of our
church. I shall hear the prayers
of

of the faithful; I shall consult their wants and their resources, before I propose to you the measures which the restoration of the worship of our ancestors may still require.

Two years of abundance have repaired, in part, the evils of scarcity. Agriculture has made a sensible progress; all branches of industry have taken a new spring; the fine arts continue to adorn and illustrate France. I have collected round me their numerous productions; the same advantage has been given to the useful arts. Public admiration has equally encouraged them.

The liberation of our soil, and more favourable times, have permitted us to employ ourselves in the amelioration of our finances. I have ordered that there shall be laid before you the state of the public charges, as well as that of the means of meeting them; and I have the satisfaction to announce to you, that the foresight of the legislature has not been deceived by pressing and accidental wants. No new debt will be created for the next year. Already, considerable relief has been afforded to those who contribute to the public burthens. The reduction of the most heavy taxes will not be retarded longer than the discharge of the extraordinary debts contracted by the state may require. The laws have been every where executed with facility, and in no part has the public tranquillity been materially disturbed. Under these circumstances, and with a view to remove more effectually the recollection of past evils, I have thought that I might multiply the acts of clemency

and reconciliation. I have placed no other barriers against them than those which are interposed by the national feeling and the dignity of the crown.

Still, in the midst of these elements of public prosperity, I must not conceal from you, that just causes of alarm mingle with our hopes, and demand at this time our most serious attention.

A restlessness, vague, but real, possesses all minds: every one now demands pledges of a permanent state of things. The nation has but an imperfect taste of the first fruits of legal rule and of peace; it fears to see them snatched from it by the violence of factions: it is alarmed at their ardour for domination: it is terrified at the open expression of their designs. The fears of all, the wishes of all, point out the necessity of some new guarantee of tranquillity and stability. Public credit waits for it as the signal to rise; commerce, to extend its speculations. In short, France, in order to be sure of herself, in order to resume among nations the rank which she ought to occupy for her own and their advantage, has need of having her constitution placed out of the reach of those shocks which are the more dangerous the oftener they are repeated.

Under this conviction, I have again turned my attention to those ideas which already I had wished to realize; but which ought to be matured by experience, and to be called for by necessity. The founder of the charter, with which are inseparably connected the destinies of my people and of my family, I
felt.

there were any im-
which was required by
interests, as well as
tenance of our liber-
which would merely mo-
f the regulating forms
er, in order the better
s power and its opera-
longed to me to pro-
mprovement.

ment is come for
ng the chamber of de-
for withdrawing from
action of parties, by
it a duration more
e to the interests of
er and to the external
the state: this will
pletion of my work.
nate than other states,
rom provisional mea-
rom the natural deve-
our institutions that
ive our strength.

the devoted zeal,—it
energy of the two
—it is from their close
my government, that
the means of saving
liberty from licentious-
ablishing the monar-

chy, and of giving to all the in-
terests guaranteed by the charter
that profound security which we
owe them.

We shall at the same time un-
dertake the task of making all our
laws harmonize with the consti-
tutional monarchy. You have
already adopted several which
have this tendency; and I have
given directions for the prepara-
tion of others which will ensure
individual liberty, impartiality of
trials, and a regular and faithful
administration throughout all de-
partments and districts.

Providence has imposed on me
the duty of closing the abyss of
revolutions; of bequeathing to
my successors, to my country, in-
stitutions that are liberal, firmly
established, and durable. You
are assembled for this sacred pur-
pose. In order to accomplish it,
rely, gentlemen, on my unalter-
able firmness, as I rely on the co-
operation of my faithful and loyal
peers of France,—of my faithful
and loyal deputies of the depart-
ments.

CHAPTER XI.

SPAIN.

Death of the deposed King of Spain.—Design baffled by this Event Spread of Disaffection in Spain.—Organised Bands of Robbers.—Spiracy in Valencia.—Severe Measures and Proclamation of General Elio.—Fresh Change of Administration.—Cadiz Expedition Causes of its long Delay.—Mutiny among the Troops of the Expedition.—How quelled by Count Abisbal.—Ruin of the Expedition Disgrace of Abisbal.—Further Proceedings of General Elio.—Assistance of the Magistrates.—Authority assumed by the Inquisition Ravages of the Yellow Fever.—Decree of the King respecting Re-marriage.—Reception of the new Queen in Spain.

ON the 20th of January 1819, Charles IV, the abdicated king of Spain, ended his days at Rome in the 71st year of his age, having survived his consort only a fortnight. This circumstance, in itself of small importance, was at the time regarded as a favorable event for king Ferdinand, whose justly discontented subjects it deprived of a rallying point. Charles IV himself had been much less the object of unpopularity than his queen and her favorite the prince of Peace; and his restoration appears to have been for a moment contemplated by the *liberales* of Spain.

In the meantime, the spirit of disaffection was daily extending itself amongst the higher classes of society, and especially amongst the military; whilst the lower, in several provinces,—in Andalusia, Estramadura, New Castile, and particularly in the district of La

Mancha,—indulged themselves in all the excesses which a feeble and ill-conducted government was unable to restrain. The roads were infested with numerous bands of robbers, frequently acting under a regularly organized system, who manifested somewhat of a political object in their depredations, by attacking with much greater eagerness persons charged with the receipt of money for government, than individuals travelling on private affairs. One of these troops is stated to have amounted to 300 men. A conspiracy against the government said to have been formed in the city of Valencia, but of which the proofs are reported not to have been very strong, gave occasion to numerous arrests and to the infliction of severe punishments. Several persons were condemned to the galleys of Ceuta; colonel Vidal

of the enterprise was d, and twelve others were

General Elio, the military nor of the province, issued occasion a truly ferocious mation, in which he warned habitants to feel no pity for monsters" whose fate they itnessed.

he month of May, a fresh tion took place in the ad- ration, which within the ive years had changed as times. One of the minis- as ordered to quit Madrid hour, and another was re- ended to repair to some town kingdom of Grenada until ould receive an appointment t quarter. Financial diffi- , which each set of coun- in its turn tried to over- and found insuperable, relieved to be the true cause se endless vicissitudes in binet of Ferdinand VII.

sailing of the long in- l expedition from Cadiz for covey of the revolted pro- of South America, con- to be postponed from time e, for the equipment of a squadron was now an effort exhausted all the resources s great kingdom,—once by wer and riches the tyrant or rror of Europe. The Spa- marine, since the fatal al- formed with France in the 1796 and the long series of al misfortunes which had ed from this step, had sunk e last stage of decay. The had been annihilated, the ds emptied, and the forests e kingdom destroyed. In esent emergency, therefore, overnment had found it ne-

cessary to make application to Russia to furnish vessels for the South American expedition, and a considerable number had arrived at Cadiz. But these ships, which were built only of pine, and had already seen much service, were soon discovered to be in so bad a state that very considerable repairs were requisite to fit them for the voyage. During the delay occasioned by this circumstance, a spirit of mutiny gained upon the soldiers destined for the service, which broke out just as other difficulties had at length been surmounted and the preparations appeared on the point of being completed. Very decided symptoms now made it manifest, that the troops would not allow themselves to be embarked on board bad ships, badly fitted out, and above all, badly commanded, in order to restore the colonies to the domination of a prince whose arbitrary system of government had already disgusted themselves. In the night of the 7th of June, count Abisbal (O'Donnel) the commander in chief, became apprised of the existence of a conspiracy in the first division of the army, which he felt the necessity of strangling in its birth. He quitted Cadiz with dispatch and secresy, and collected the troops in garrison at the Isle of Leon and Puerto Real, to the number of 4,000. With this force having surrounded the mutinous camp, 7,000 strong, he caused the soldiers to lay down their arms, pronounced the dismissal of the officers, above 120 of whom he took into custody, and dispersed the regiments among the towns of Andalusia.

The whole was performed without resistance and without bloodshed, by means of the great ascendancy of the commander over the minds of his troops, but the expedition was totally disconcerted; the mutinous troops could not be trusted, and the regiments by whom they had been disarmed had only been bribed to render this piece of service by the promise of count Abisbal that they should not be embarked for South America: the conduct of this general himself incurred suspicion, and he was dismissed from his command. General Elio continued to pursue his measures for the suppression of conspiracy in the kingdom of Valencia with a keenness which produced not discontent alone among the inhabitants, but resistance on the part of the local magistrates; several of whom were thrown into prison on their refusal to execute the commands of the military governor. The dungeons of the city became so crowded with political delinquents, that it was found necessary to transfer some of the number to Murviedro. Torture is said to have been applied to one of the prisoners on his refusal to acknowledge the words which he was accused of having uttered by one of the secret agents of the police, who had treacherously drawn him into discourse on public affairs. The Inquisition, which had lent itself without scruple to the political enterprises of the government, was invested with the superintendence and control of all the other magistracies.

The scourge of pestilence was soon after added to all the other

evils of this distracted country. The yellow fever declared at Cadiz in the month of April, and spreading to Seville and towns in the south, committed horrible ravages, some particulars of which will be found in Chronicle articles.

The king, who had been widower at the close of the preceding year, issued on the 12th the following decrees, considered worthy of preservation for the extraordinary style in which it is expressed.

“The supreme tribunals of the capital, the deputies of the provinces, the different municipalities, several religious communities, many other corporate bodies, represented to me how arduous and necessary it was to the well-being of the nation in general, and to all Christians, to preserve by means of the nuptial union the legitimate succession of the throne upon which Divine Providence has placed me. I have listened with favour to the just desires with which all these bodies are animated, and have yielded to their ardent wishes, and considering the high rank of the Saxon blood, and the most serene princes who compose that august family, the all-wise monarch, the all-powerful monarch, as ancient as well as recent, who adorn it, the particular consideration that his majesty king Frederick Augustus has always entertained for the crown of Spain, and above all the rare and valuable qualities which heaven has granted to the most serene princess Maria Josephine Amalie, niece, daughter of the most illustrious and most puissant prince, the emperor Alexander, and of the most

GENERAL HISTORY. 181

ess Caroline Maria Theresa, glorious memory; I have in Don Ferdinand de Aguilar y Arce, marquis of Cerralbo, who should go and propose to the monarch my hand and my services for the said princess. Having then imparted to his majesty and her highness my sovereign intentions, they have testified profound veneration how able such an union would be for us, as also to all Saxony. I will inform the council thereof, that they may be apprised of it, and the satisfaction which this union creates in me, from which I trust will ensue conse-

quences the most favourable to the Catholic religion and my subjects."

The new queen arrived safely in Spain in the following month. It was hoped that on this joyful occasion an act of grace would have sanctioned the return of a portion at least of the exiled patriots; but conciliation formed at this period no part of the policy of Ferdinand VII; and in answer to certain solicitations on this subject, a confidential minister of his majesty drily answered: "This affair must be left to time."

CHAPTER XII.

GERMANY.

Political State of Germany in general.—Hanover.—Meeting of the Diet.—Important Reforms carried.—New Constitution formed.—Wurtemberg.—Popular Principles of the King.—Assembly of the States.—Formation of a new Constitution.—Triumphal entry of the King by his Subjects.—Bavaria.—First Meeting of the States General.—Gracious Speech of the King.—Reduction of the Army.—Prussia.—Delay in the formation of a new Constitution.—Free spirit of the German Universities.—Kotzebue appointed literary and political Agent of the Emperor of Russia.—His Assassination.—General Alarm.—Proceedings of the Diet at Frankfort respecting the Universities.—Declaration of the Saxon Princes.—Students quit Jena.—Attempt against M. Abel.—Arrests and Imprisonments.—Secret Societies suspected.—Protestations against the Measures of the Prussian Police.—No Plot detected in Prussia.—Coercive Measures of the Diet.—Central Commission at Munster.—Severities against popular Writers in Prussia.—Sandt transferred to Mentz.—Persecutions of the Jews in many parts of Germany.—Strong Measures of the Conference of Carlsbad in their favour.

THE intimate union of the more important powers of Germany, originally formed by the necessity of combination against the ruler of France, and strengthened since by farther views of common interest and security, has once more converted this vast assemblage of states into a body politic; and enables us, under many relations, to treat of the country as a whole.

Over Germany, as over the rest of Europe, peace continues to reign; but a new impulse given to the minds of men by the circumstances attendant upon "the war of liberation," as it is termed, has effectually opposed

the return of political tranquillity. It will be recollected, that arduous liberation was achieved not so much by the counsels of princes, or by the discipline and valour of regular armies, as by the generous disdain of a free yoke which pervaded the population, and precipitated a mass upon its oppressors. The enthusiasm of their joy and gratitude, most of the German sovereigns pledged themselves to recompense the exertion and the sacrifices of their subjects with the only gift worthy of the occasion and of the receivers,—that of political freedom:—In other words, pro

sed to their subjects con-
ons and a representative
1. The boon was eagerly
d; and in all those coun-
where national councils
actually convoked, their
dings exhibited a frank
old spirit which recalls the
t times of German liberty.
ier states, where the for-
of a constitution was
d from time to time, and
nmonses were issued, ac-
g to general expectation,
meeting of national as-
es, the people, or at least
lucated of the middling
grew jealous, gloomy and
red; a fanaticism of hatred
venge against the instru-
of despotism took posses-
many young and ardent
and in two instances broke
deeds of blood. The
a potentates became at
exasperated and alarmed;
measures of chastisement
pression by which they
ldged it necessary to en-
the revolutionary princi-
orm the chief theme of
al narrative for the period
ated, which we now pro-
survey more in detail.

OVER.—The states of the
n of Hanover were as-
l in the month of January,
mediately proceeded to
end some very important
. Torture was abolished
ir suggestion, and the
consented to take into
ration their proposal for
way the use of expurga-
aths in criminal cases.
resented a remonstrance
a decree forbidding ac-
o be instituted for the

payment of the arrears of interest
of the royal chamber, declaring
themselves ready to pay such
arrears; a step which had the
immediate effect of raising the
value of the paper currency; all
confidence in which had pre-
viously been lost in consequence
of the above decree. The states
also petitioned that the army
might be reduced from 30,000 to
17,000 men; and this suggestion,
notwithstanding an unequivocal
wish expressed from England to
the contrary, was so far complied
with, that the standing force was
finally fixed at 20,000. The next
great question debated was:—
whether the nobles should share
in the liability of the third estate
to contribute to the public bur-
thens? The deputies of the
nobility, apprehensive on this oc-
casion of being outvoted, sought
to evade a decision by quitting
the chamber; the deputies of the
third estate alone not amounting
to 52, the number legally neces-
sary for dispatch of business:
but this stratagem was defeated
by one of the deputies of the
third estate, who, placing his
back against the door, detained
the 52nd member till the propo-
sition was carried in the affirma-
tive. The prince regent (his
royal highness the duke of
Cambridge), obtained the thanks
of the chamber by declaring
that all the estates under the ad-
ministration of the chamber of
convents, should in future be
separated from the civil list, and
applied exclusively to the sup-
port of schools and churches.
The chamber, however, expressed
a wish that these estates should
be placed under its superinten-
dence,

dence, and that accounts of the employment of their revenue should be annually presented to it. Near the close of the session, in April, a message was read from the regent stating, "That it is not the plan to make great changes in the constitution, according to which the states have the right to grant taxes, and to share in the legislation; partly because experience has shown the utility of this ancient constitution of the country, and partly because constitutions introduced upon merely theoretical principles will never be so advantageous as those which have been gradually formed according to the wants of the state."

The following sketch has been given of the most important rules according to which the representative assemblies of Hanover will in future be constituted.

In the second chamber will be the members of the board of taxes who are not noble; 3 deputies from the administration of ecclesiastical property; the deputies of the smaller abbeys; one deputy from the university of Gottingen; 29 from the cities; and 22 from the possessors of free estates who do not belong to the equestrian order. The hereditary land-marshal (and in his absence the president of the chief board of taxes), presides over the united chambers. Each chamber proposes three of its members, from whom the sovereign selects one to be its president. The diet meets every year; the members are elected for 6 years, but may be re-elected: no persons will ever be admitted to hear the debates. -

The propositions from the sovereign are to be addressed to both chambers: if their decisions do not agree, an union is to be attempted by a commission chosen by both, to which commissioners from the sovereign may be added, to promote an agreement. It is necessary in propositions from the state that both chambers should agree.

In November, the provincial assemblies met to elect deputies to the general diet of the kingdom; which sat on Dec. 28th for the first time in its new form as two chambers.

Wirtemberg.—The sovereign of this kingdom leans to popular principles, and in the struggle between the privileged orders and the citizens at large of which his country has been the scene, has evidently taken part with the latter. The states-general assembled at Stutgard in January; and prince Paul, the king's brother, whose property had long been sequestered, whilst he himself lived in a kind of banishment at Paris, received a notification that his revenues would be restored, and that he was expected to appear at the opening of the diet in quality of heir apparent. It seems that the pretensions of the *mediatised* princes and nobility, who lately held directly of the empire, opposed some obstacles to the reconvoation of the states; and the king appointed a commission to treat with them respecting their claims. They did not at first evince a very tractable spirit; but the perseverance of the king surmounted all difficulties; and in September, the plan of a constitution was accepted

y the representative as-
 ith few or no modifica-
 he king soon after re-
 Warsaw, to meet the
 of Russia, and was suc-
 obtaining his powerful
 for the new constitu-
 ich was now understood
 ured from the inter-
 f the greater powers of
 . A well earned triumph
 is return to Stutgard.
 isks were erected by the
 es, inscribed, "To the
 of the country." "To
 r of his people." The
 drew his carriage into
 with shouts of "Long
 ing!" and an altar was
 before the palace with
 inscriptions. The king
 these testimonies of
 nt with the most frank
 ial expressions of cor-
 sentiments; and shak-
 s with the first burgo-
 ade him tell all faithful
 hat he would gladly do
 to each of them.
 ing of *Bavaria* had
 a constitutional charter
 bjects in May, 1818;
 states-general were not
 for the first time till
 in this year. The king,
 each from the throne,
 xpressed his satisfaction
 ; at length attained the
 f his constant wishes
 reign of 20 years: the
 nent of a constitution
 d to promote the happi-
 s people. He declared,
 ich an assembly as that
 m, he beheld a support
 one and a blessing to his
 and ended by drawing a
 ture of the tranquillity

and union which pervaded his
 country. This union was, at a
 later period of the session, some-
 what disturbed by a difference
 between the king and the states
 respecting army-estimates. It
 ended in the rejection by a great
 majority of the deputies of a
 proposed augmentation of taxes
 for the support of the troops;
 and the king has probably been
 compelled, in consequence, to
 reduce his military establishment.

Such was the situation of the
 principal among the secondary
 powers of Germany in the early
 part of the year: In the mean-
 time, little progress appeared to
 be made in the formation of a
 constitution for Prussia; no re-
 presentative body was there sum-
 moned to deliberate on the state
 of the nation; and circumstances
 soon occurred in another quarter
 which, by casting an odium on
 the supporters of democratical
 principles, appeared likely to op-
 pose a formidable and permanent
 barrier to the further extension
 of popular privileges.

The ardent spirit of liberty
 which, since the late war, in
 which they had taken an active
 part, had prevailed among the
 professors and students of the
 German universities, had for
 some time attracted the jealous
 notice of more than one of the
 great continental potentates. It
 became an object of importance
 in the opinion of the emperor of
 Russia, to receive frequent intel-
 ligence of their motions, and
 generally, of the state of public
 opinion, of morals, and of litera-
 ture in Germany. For this pur-
 pose, he engaged the noted
 dramatic writer Kotzebue, long
 attached

attached to the Russian service, but now returned to his native country, to become his official correspondent and to transmit to him full and frequent reports of all that was passing. In the performance of this office, M. Kotzebue had provoked the vehement resentment of the students, who accused him of calumniating the principles and designs of his countrymen to a foreign potentate, whose interference they naturally regarded with as much indignation as alarm.—Apprised of their hostility and dreading its effects, M. Kotzebue was preparing, it is said, to quit Manheim and return to Russia, when a young fanatic named Sandt, a theological student of Jena, obtained admission to him on pretence of delivering letters, and stabbed him to the heart. Having thus completed his purpose, the assassin walked calmly into the street, and falling on his knees, with his hands raised to heaven, exclaimed; “Vivat Teutonia!” and plunged a dagger in his bosom. He was instantly seized, and the wound not proving mortal, was conveyed to prison and strictly guarded. This catastrophe inspired general consternation in the German courts; it was regarded as the work not of a solitary enthusiast but of a body, a tremendous association, bound together by secret ties and sworn to pursue the accomplishment of its political objects through all crimes and all dangers. Diligent investigations were every where set on foot, in which the Prussian government took the lead. The general diet, then

sitting at Frankfort he said, several secret deli on the means of restri universities to their true on which subject M. V rich, minister of the d grand ducal houses of was instructed to make th ing declaration to the “The erroneous opinio present state of the Ger versities which have bee ly expressed in writings, sense official; the attac against the institutions e these bodies, particularly and the importance of del on the changes useful troduced into establish learning destined to youth of Germany, ha mined his royal high grand duke of Saxe-Eisenach, and his high duke of Saxe-Gotha at burg, to bring the subje the diet, and to order th ing declaration, which their opinion on this su be inserted in the proto

“1. The state of the universities is an ol general interest to all th ments of Germany, and account ought to be sub the deliberation of the di

“2. Their royal and ser nesses will cheerfully l aid to bring about a agreement on certain of academical discipline, support all measures u practicable for facilita direction of the interior ment of the universitie impressed, they have s pleasure that the univ Jena considers itself as f

f a subsisting association of universities, and that in consequence of a decree of its refusal of matriculation, disturbances at Göttingen expelled all students from that university who were not provided with a certificate of their conduct.

In changes which their serene highnesses will permit, they will not consent to alterations which would interfere with the interior constitution of the universities, and destroy civil liberties by converting them into gymnasia, &c. The universities must preserve freedom of opinion and action."

The grand duke of Saxe-Coburg subsequently declared his intention to permit no student to study at Jena, without recommendation from their government; in consequence, Prussian students were immediately recalled from this university, as were the Russian ones, those of Germany.

Attempt made by a young student on the life of M. Metternich, the regent of the empire augmented the general alarm. Numerous arrests took place in several parts of Germany, especially in the Prussian provinces; papers were seized from professors of known principles were subjected to examinations; suspicions particularly directed against the founders of a patriotic association called the Tugendverein, instituted in 1813, and the members of the more recent association, or student's club. It is said, that information

had been obtained of the existence of secret democratic societies, extending widely over the country, in which the plan of converting Germany into a republic, one and indivisible, had been decided upon. Revolutionary poems and daggers were reported to be found among the effects of the persons arrested, and the public were led to believe that an atrocious plot would in time be revealed, though for the present it was judged prudent to refrain from the disclosure of particulars. In the meantime the security and happiness of private life was invaded; no one knew what to fear or whom to trust; secret dilations were listened to, persons were torn from the bosoms of their families without knowing their offence, and in some instances contrary to the laws, and it was remarked with sorrow, that the individuals arrested and accused, particularly in Prussia, were the same who had displayed most zeal in the general rising against the French tyranny, and who had earned for themselves the proud title of deliverers of their country. The senate of the new university of Bonn, made a public protest against the illegal seizure of the papers of three of its professors by civil functionaries, supported by a military force, sent from Berlin; and the chamber of justice at Berlin addressed three successive remonstrances to the minister of justice on the illegal violence of his proceedings. The police, finding at last no proofs of the existence of a plot, offered their liberty to several of the persons arrested; but on terms, it is said, which

which one individual alone thought fit to accept. Finally, a commission appointed by the Prussian minister, prince Hardenberg, to examine all the documents and the papers seized delivered to him their report, stating in the most unequivocal manner, that no man of any influence was concerned in the secret associations; and also that these associations had not for their object the revolutionizing of Germany. They added, that though presumptions, of different degrees of force existed against several of the persons in custody, not one of them could legally be put in a state of accusation.

Thus then ended the cause of this alarm; but not its consequences. These will best be traced from the "Propositions of the minister of his royal and apostolic majesty" to the diet at Frankfort; the "Circular of the cabinet of Berlin," the "Edict of censorship for the kingdom of Hanover; and that for the kingdom of Prussia." (See State Papers.) Of all the severe measures of coercion indicated in the Austrian Proposition, that which gave most offence to the German people, and which was even a source of discontent to several of the smaller princes, was the proposed establishment of a general central commission at Mentz, authorized to prosecute inquiries in all parts of Germany concerning the "demagogical intrigues," supposed to be in action;—to examine any persons whatever as witnesses on these subjects,—to cause the arrest of suspected persons, and to take the punishment of political offenders into

its own hands. No soon the decision of the diet of the erection of this formidable tribunal known lin, than the members of ferent supreme courts of met to protest solemnly a measure which would so tially infringe upon their j tion. In a body they des audience of prince Hard and laid through him the complaints before the king. presented, that by rece the late decisions of the d conforming to them, his would renounce the mos rights of a sovereign, not ing that of granting pardon that the establishment of nal at Mentz invested v power of trying Prussian was incompatible with the of an independent state direct opposition to the Prussia. A memorial ne the same effect was prese the king by his minister baron Humboldt, which v ciously received and tra to the court of Austria. of the secondary powers, grand duke of Baden in t ber, testified their dissati The king of Bavaria publi decisions of the diet com all persons in authority, subjects generally, to themselves to them;— however the following ren salvo :—"having regard to vereignty which is guaran us by existing compacts act of the confederation, ing to the constitution g us to our faithful people, cording to the laws of o dom." Notwithstanding

n, the central commission, he full powers originally ted, met for the first time ober 15. It was composed n members, delegated by eigns of the following —Austria, Prussia, Bava- mper, Baden, Hesse and

king of Prussia evinced e zeal in carrying into he system thus founded in y. Several professors of n universities were dis- from their posts; the of M. Goerres, author of : intitled "Germany and volution," were sealed up, e city of Frankfort was hat imperiously required to ll copies of the work and up the author. With the part of this mandate the of Frankfort complied, nor apparently demur to the —M. Goerres however was l to escape into France. mission was appointed at to examine into charges of eason and where it should necessary to transmit the rs to Mentz. It should owever that the integrity patriotism of the commis- prompted them to liberate f the persons brought be- em, some of whom were eceive a public repara- character. Meantime, the nstitution for Prussia was d to be in a state of dili- eparation, but no public es have yet been taken to t into action.

assassin Sandt was trans- to Mentz in safe custody, trial has been postponed

from time to time, probably in the hope, which has not, it should seem, been realised, of extracting from him some confessions tend- ing to implicate others in a crime which he has repeatedly affirmed to be exclusively his own.

A circumstance equally extra- ordinary and disgraceful in the annals of modern Germany, was the persecution of which the Jews were the victims during the year 1819. The motive of the inju- ries and insults inflicted on this unfortunate people is somewhat obscure; but it seems to have been some sentiment more akin to political or commercial jea- lousy than to the ancient reli- gious antipathy.

The condition of the Jews in Germany had received the most important amelioration within the last twenty years. Buonaparté, on entering Germany, had effaced the ancient stigma impressed upon the race by declaring them "citizens and members of so- ciety:" Yet, during the late war, hoping to obtain from the legiti- mate sovereigns of Germany a confirmation of the privileges thus granted them, the Jews had freely offered their property, and even their lives for the defence of the country; and in return, had ob- tained strong testimonies of ap- probation from several of the al- lied princes; and from the king of Prussia, the rights of citizens, with eligibility to all offices. These acquisitions of civil privi- leges when combined with their extensive command of capital, enabled the Jews in some com- mercial towns to assume a port which their Christian neighbours regarded

regarded as presumptuous and offensive; — a cry was raised against them, and but for the powerful and prompt protection extended by the German sovereigns, the fury of the people would apparently have quenched itself in their blood. The senate of the free town of Lubeck had been the first to mark its animosity against this people by reinforcing an edict of 1788, forbidding *all strangers* to carry on commerce of any kind within Lubec; (see State Papers). A prohibition which is stated to have been followed up, with regard to the Jews, by measures of great harshness and insult. The police officers were ordered to search all Jews openly in the streets, and to burst open their houses and take possession of all their property, sealing up even the common necessities of life. The senate further decreed, that any person acting for, or in any shape transacting business with a Jew, should for the first offence be fined; and for the second, should be further visited with imprisonment and loss of citizenship; and that any clerk, porter or menial servant living with a Jew, should be imprisoned and expelled the town. The next expulsion of this unhappy race was from the town of Meiningen. This place, it seems, had long enjoyed the *privilege* of admitting no Jews within its walls; nevertheless a considerable number had established themselves there on sufferance; a sudden resolution of the magistrates to inforce again the old regulations, had compelled the lower order of these to quit the

town; but a few wealthy still lingered, and the magistrates were asked whether it was intended that their long residence would be tolerated. The authorities referred the question to an assembly of the people, which scarcely had the debate commenced, when some of the Jews collected together in waggons standing in the streets, and ended the doubt by compelling the remaining Jews to leave themselves and their goods, and causing them to be transported over the frontier.

At Hamburgh, in Wurzburg and other parts in Germany, popular tumults occurred in which the Jews were insulted, plundered and expelled. At length these outbreaks attracted the attention of the powers; and a notification was issued by all the envoys assembled at the conference of Carlsbad, forwarded to the residents at the towns where such scenes had been acted, that they were hereby directed to cooperate with the local authorities and to claim for the Jews equal protection which the government is bound to afford to all its subjects without distinction; they were further intimated that a repetition of these acts would subject these Jews to themselves to the punishment of accessories, — deprivation of rank and office: nor would chastisement stop here; the king himself would be subjected to the same occupation, either by Prussia, and perhaps by the allies, to accession to some neighbouring state. The king

GENERAL HISTORY. [191

aria and the grand duke of Baden respectively, issued strong edicts for the protection of the Jews in their dominions, declaring the districts responsible for all the damage done to their property: the students of Heidelberg gallantly sallied forth armed for their protection in a violent tumult which the magistrates had taken

no means to repress. It was observed in some places, that the interposition of troops of the line on these occasions, rather inflamed than appeased the fury of the people; but the *landwehr* were more successful in restoring order. Before the end of the year the ferment appears every where to have subsided.

CHAPTER XIII.

NETHERLANDS.—*Law respecting trade with Sweden.*—*Speech of the Minister to the States General on closing the Session at Brussels.*—*Royal Speech on opening the Session at the Hague.* SWEDEN.—*Negotiations respecting the Payments due to Denmark.*—*Final Arrangement of this Affair.*—*Parga and the Ionian Isles.*—*Cession of Parga to Ali Pasha by the British.*—*Tax opposed by the Legislature of the Seven Islands.*—*Insurrection in Santa Maura.*

THE kingdom of the Netherlands furnishes few subjects of historical notice, on account of the state of tranquil happiness which it appears to enjoy. Early in the month of March, the project of a law relative to the commercial relations of the country with Sweden, and the reciprocity to be exercised towards that power, occupied the attention of the States-general assembled at Brussels.

All the sections agreeing in the principles which dictated this law, declared that the discussion was open. Count Hogendorp, in an excellent speech, supported the project. He quoted the opinion of the celebrated Chaptal, formerly minister of the interior in France, who rejects every system of prohibition as injurious to nations; he would have an unlimited freedom of commerce, which, said he, cannot but be to our advantage.

No other member desiring to speak, M. Fulck, minister of colonies and trade, explained the grounds of the project, which,

being put to the vote, was passed unanimously.

On May 22nd the session closed by the minister of the interior with the following speech, which he delivered in both languages.

“High and Mighty Lords.—The King, in ordering me to close in his name the session of the States-general, has at the same time commissioned me to testify his satisfaction at the constant and assiduous care you have shown in the thorough investigation of the various subjects of laws which have been laid before you, and of which several were of high importance. I shall not enumerate them; it is agreeable to the king that I should be able to inform you, even before your session is closed, that an interesting law, that on the national militia, has been put into full execution, and that the result answers the hopes which your majesty entertained.

“His majesty thinks that the equally satisfactory information may soon be given you re-

ing the other laws which you have since had before you. He will rejoice at it, because his ambition is the prosperity of the state, and in his heart, the prosperity of the nation is inseparable from his own happiness."

His excellency concluded by recommending to the members worthily to employ the interval till the next session in maintaining that spirit of concord which is the basis of the general welfare and happiness.

The next session of the states was held, according to the appointed rotation at the Hague, when an opening speech was read in the name of the king, of which this was the substance.

"This sitting will be of the highest importance, as the States-general will have to discuss measures which will complete the edifice of the constitution. His majesty has the satisfaction to announce, that the most cordial friendship continues to exist with all foreign powers, and that all of them are animated with the most ardent desire of peace; so that there is every reason to presume, that all the nations of Europe will continue to enjoy entire tranquillity. In this sitting the project of the codes for the Netherlands will be laid before the States. According to the fundamental law, this great work will be laid before the Assembly in distinct parts. Every free and independent nation requires a national legislation. The moment will be most important when the whole can be proclaimed as the law of the State.

"His majesty then proceeds to the finances, in which he says, the Assembly will be convinced,

that economy has been studied as much as possible. He laments, however, that the army is so expensive, and wishes that this branch could be diminished, but the position and relations of the kingdom make it necessary to follow the example of other powers. The state of the sinking fund will be laid before the Assembly: though but a few years have elapsed since it was established, its good effects have been already felt. Some measures will be proposed to remove the few differences which still exist in the duties and privileges of the inhabitants of the Netherlands in all parts of the kingdom, including the Grand Duchy of Luxemburg. The harvest has been, in general, uncommonly abundant. Important manufactories show an increasing activity, and though industry and trade in general still suffer from the unnatural excitement previously given them, and the surprising revolutions in political circumstances, those who compare our situation with that of other countries find no reason to envy them or to lament our own. The good effects of the new administration of our colonies gradually develop themselves. The intercourse with them becomes daily more extensive.

"Deeply penetrated with the sense of my obligation in all the acts of my government, always to have in view the interests of the Netherlands in general, and never to prefer that of a part to that of the whole, I shall continue with calmness and firmness to pursue the path which I have proposed to myself, convinced
 e 2 that

that it will lead to the real happiness of our beloved country, and and the co-operation of your high mightinesses. I hope I shall always continue to find the proof that you do justice to my sentiments and intentions.

Sweden.—The completion of the stipulated payments from the king of Sweden to the king of Denmark, as a compensation for the possession of Norway, was a source of some embarrassment to the former country. The king of Denmark, early in the year, complained to the sovereigns of Russia and Prussia, then met at Aix la Chapelle, of the delay which had occurred in the liquidation of this debt, and representations were in consequence addressed by these potentates to the king of Sweden. Very acrimonious discussions between the respective courts are said to have ensued, and at one period formidable difficulties were opposed to the amicable adjustment of the business. Subsequently, the mediation of Great Britain was called in, and lord Strangford, the British minister at Stockholm, carried on negotiations there for some time in the names of his own sovereign and of the king of Denmark: these were at length successful, and an arrangement was acceded to, satisfactory alike to the contracting and to the mediating powers, by which Denmark was to receive a smaller sum than had at first been stipulated, but by instalments at shorter intervals and securely guaranteed. [See Publicpapers.] Immediately after the termination of this affair, the king set out for Scania.

Parga and the Ionian Islands

The cession of a small christian republic on the western of Greece, by his Britannic majesty to Ali Pasha the Musulman despot of Albania, a transaction much canvassed in the English parliament, appears not unworthy of mention in the generality of this year. The circumstances which led to this transaction were the following: The Venetian republic, the sole relic of the Venetian dominions on the continent of Greece which was able to stand down to the year 1800 the quering arms of Ali, gave assistance some time afterward to a French garrison, the French king at this time succeeded in establishing themselves as successors to all the possessions of the republic of Venice. In the year 1814, being again attacked by their implacable enemy Ali, finding this garrison an insupportable defence, the Pargiotes, after repelling the assault by their valour, found it expedient to seek the protection of Great Britain. This was accorded by general Campbell the commanding officer on that station, and a body of English troops were received into the town on the express condition that they should share the fate of the Ionian Islands. Some time after the treaty received the approval of the Prince Regent.

In the congress of 1815, it fell into utter oblivion as it should have done of the engagement entered into with this devoted republic, stipulated on the part of Great Britain that the whole con-

GENERAL HISTORY. [195]

should be ceded to Ali, in other words to Ali. When it was first run that Parga that the town was delivered up to their army, the most dreadful scenes were entertained by the inhabitants, and an earnest opinion on the subject was given to the British officer commanding the garrison; who in March 1817, by order of Sir Thomas Maitland, commissioner for the Ionian Islands as he had not yet received regular instructions of government, he could give no definitive answer; but might depend on his opinion in his power for their protection, provided they did not claim to his protection acts of violence or. From this reply, the result of the arrangement was apparent, and as no doubt the cruelty with which the British commander was disposed to treat the people on its coming into his hands, Thomas Maitland authorized the British commander to write a letter in which he told himself that the place should not be yielded up till the opinion of those who might emigrate should be obtained and they themselves be sent to the Ionian islands." The estimate of the whole property of the people was then made by the commander, who thought that it would amount to 400,000*l.* and 500,000*l.*

The particular valuation of the sum total considerably varied by some chicane, less than the third part was finally determined. After a variety of pro-

ceedings, tending to show the ferocious and faithless character of Ali, who continually threatened to enter the town by force, without paying a single farthing, two commissioners were at length named, one by this barbarian and one by the British, before whom every individual citizen of Parga was brought up for the purpose of declaring whether he preferred to remain in his native town, or to emigrate. They unanimously answered, that "they were resolved to abandon their country rather than stay in it with dishonour; and that they should disinterment and carry along with them the bones of their forefathers."

The commissioners soon disagreed, as might be expected, in their valuations; both were superseded and all proceedings were suspended till May 1818, when new commissioners were named, before whom the Pargiotes repeated their former resolution, and between whom the former differences arose. The Pargiotes, reduced to the utmost distress, sent a statement of their case with proper documents to be laid before the British parliament; but unfortunately the foreigner whom they employed did not hold himself entitled to make any formal application. The cause was indeed taken up by some voluntary advocates in both houses of parliament, but their generous efforts came too late; and the sacrifice was consummated before any specific proposal for their relief could be submitted to the legislature.

"In June 1819, general Maitland, in consequence of the depreciation of property by the neglect

neglect and despair of its owners, finally declared the compensation to be paid by Ali for the Turkish government to be 142,425*l.* sterling; and, shortly after, intimated to the citizens, that he was ready to provide for their transportation to the islands.

"As soon as this notice was given, every family marched solemnly out of its dwelling, without tears or lamentation; and the men, preceded by their priests and followed by their sons, proceeded to the sepulchres of their fathers, and silently unearthed and collected their remains,—which they placed upon a huge pile of wood which they had previously erected before one of their churches. They then took their arms in their hands, and setting fire to the pile, stood motionless and silent around it, till the whole was consumed. During this melancholy ceremony, some of Ali's troops, impatient for possession, approached the gates of the town; upon which a deputation of the citizens was sent to inform our governor, that if a single infidel was admitted before the remains of their ancestors were secured from profanation, and they themselves, with their families, fairly embarked, they would all instantly put to death their wives and children, and die with arms in their hands,—and not without a bloody revenge on those who had bought and sold their country. Such a remonstrance, at such a moment, was felt and respected as it ought by those to whom it was addressed. General Adam succeeded in stopping the march of the Muslims. The pile burnt out,—and

the people embarked in safety and free and Christian F. now a strong hold of ruffian negadoes and slaves."*

The consummation of this plorable sacrifice took place in the month of June; and immediately afterwards sir T. Maitland set sail for A. whence he was to proceed to Rome, for the purpose of negotiating with the pope a concordat for the Catholics of the Ionian isles. The session of the Ionian parliament, prorogued by the commissioner immediately previous to his departure, was marked by the hitherto unprecedented circumstance of a session, and that too a session, on the part of the representatives, to a measure of government. An addition of 5 per cent on the excise, which had been previously voted by the senate, composed of six members, was rejected in the legislative assembly by a great majority; as sure manifestly ruinous to an important branch of the revenue of the islands, which, if denied, could not sustain competition with the current trade, permitted by the law to be exported under a very heavy impost. Before the statement made by the representatives in behalf of the purses of the constituents, it appears that several new taxes had received the sanction of the legislature, of which being regarded by the peasantry as an intolerable

* Edinburgh Review, No. 1, Article I.

GENERAL HISTORY. [197

led to fatal and lamentable. A formidable insurrection broke out in the island of Santa Maura, and on October 18 it was found necessary to issue the following proclamation from Corfu, the seat of government.

The following proclamation was published here:—

His excellency, who fills the functions of the Lord High Commissioner, makes known with pleasure, that in the countriedicts of Santa Maura appeared lately a spirit of sedition, and that the chiefs of the village Sfachi were the first to oppose the officers in the exercise of their functions under the over-
sight of the government.

A spirit of insubordination broke out on six successive days, which a considerable number of armed peasants approached the city, and presented a petition to his excellency in which the peasants set forth their grievances; and on one hand they manifested attachment to the general government, they show, on the other, hostile sentiments towards the authorities of the local government, and towards some of the principal inhabitants of the island whom they give the name of traitors, and against whom they are animated by a spirit of vengeance. The resident received the petition, assuring the petitioners that he would transmit it to the government; and they retired peaceably, but continuing to render themselves guilty of a breach of the law, he flattered himself that

the government would receive it with indulgence, and take it into consideration. Then a part of these misguided men retired; but a great number remained in arms, without, however, committing any act of violence. As soon as his excellency had been informed of these details, he ordered the Resident to issue in his name a proclamation, to assure these misguided men that if they returned to their obedience and duty, their grievances would be taken into consideration by the government, that they would be relieved from the want of which they complained, as soon as it should be proved; but to apprise them, at the same time, that if they did not merit the indulgence of government, by retiring peaceably to their homes, and submitting to the laws, no attention could be paid to their petition.

“His excellency, considering that the ill-intentioned, who had incited the inhabitants of the country to take arms, might lead them to other acts of violence, thought it prudent to dispatch a great body of troops to provide amply for the safety of that island. On the night of the 3d, before the arrival of the orders relative to the proclamation of his excellency, and before the landing of the troops, a body of peasants, in a state of intoxication, descended from the neighbouring hills, and endeavoured to throw themselves into the city, but they were repulsed by a small detachment, which was at the entrance. Some of them, after having retired, made a circuit, enclosed the city, and set fire to the house of an inhabitant. They were likewise

198] ANNUAL REGISTER, 1819.

wise repulsed, and tranquillity was restored.

“On the following day these misguided men persisted in their mutiny. The resident, wishing to avoid as much as possible the effusion of blood, endeavoured by all means to induce them to retire to their homes; but all his efforts were useless: constrained to employ force he attacked and dispersed them, taking possession of the village of Sfachiotes, the seat and centre of the sedition. Martial law has been proclaimed in the island of Santa Maura, and the public tranquillity will soon be restored, without its being necessary to have recourse to measures of general rigour. The arm of justice will reach and overpower those who, by their ma-

chinations and example, had the misguided peasant to ruin.”

The strong measures here indicated, are stated not to been immediately effectual in pressing this ebullition of pop fury. On the contrary it is that the spirit of insurre spread throughout the island that some lives were lost on sides in actions between the santry and the British tr. Directions subsequently ar from sir T. Maitland to the authorities to adopt concili methods, and it should ap that the sacrifice of an unpoj tax was finally determined as the only means of concili the minds of men.

GENERAL HISTORY. [190]

CHAPTER XIV.

ASIA.

Return of the Governor-General to Calcutta.—His Annual Address from the Inhabitants.—Appa Sahib.—Depositions.—Settlement of the Pindarries.—Military Transactions.—General Results of the War.—CEYLON.—Suppression of the rebellion.—Punishment of the Leaders.—Protest of Sir S. Raffles.—Proceedings of the Dutch in the Malayan Archipelago.—Treaties formed with the Princes of Sumatra.

IS HASTINGS, on the seat of government the brilliant campaign received, on August 4th, and affectionate congratulation from the of Calcutta. The general was pleased to n an answer, which ly-interesting and im- lic document, whether led as a summary of of the war, or as an of its causes, and a the system of policy the marquis with re- e native powers. We nt it entire to our

en;—The compliment you honour me is ying. Were I to con- erely as men of worth desirous of marking ship towards me by a vility, the distinction pon me by the favour s of such stamp would

demand the warmest return from my heart. I entreat you to believe that you do meet that return; but with much, very much, superadded to it. In the satisfaction I am enjoying, there is something far beyond individual vanity. The sentiments which you have been pleased this day to express, are not uttered to me alone; they are vouchers tendered to our countrymen at home. I am not alluding to the pride I must naturally feel, in having such a testimony borne respecting me to our native land; the sensation which you have awakened in me is of a higher quality. A wider scope is inseparable from your treatment of the subject than what applies to me personally. You are pronouncing whether they who may be said to have represented the British character on the occasion, did faithfully and becomingly fulfil that exalted trust; and your proximity, your stations, your excited vigilance, eminently

eminently qualify you for returning a verdict, while your manhood would make you spurn at giving through courtesy an opinion which your judgment belied. Many of you have had to contemplate your most important private interests as staked in the transaction to which you refer; but all of you have felt that the national honour, in which you were severally sharers, was involved in the purpose and tenour of the measures I had the lot to guide. Under such an impression, you have stood forward to attest the dignity of British justice has not been sullied. It is a declaration superiorly grateful; for my portion in the aggregate of British fame is more touching to me than a separate and selfish reputation. Your generous partiality towards me has not betrayed you into an indiscreet averment on that point. When we went forth to punish wrong, we were aware how much it behoved us to watch over ourselves, that strength and success might not seduce us into any act of oppression. I venture to believe, that violence or wanton exaction cannot, with the faintest colour of truth, be imputed to our procedures. This, however, shall not rest on general assertion. You shall be minutely satisfied. Though from the distinct feature of occurrences, you have with a gallant confidence maintained our equity, it will be pleasing to each of you to learn details which will enable you respectively to say, "I was not carried away by the kind warmth of my feelings; here are circumstances which, to my deliberate reflection, irrefragably confirm the

conclusions I drew from particular statement of the The field of our operations vast, that you often did Calcutta learn events which place in remoter parts, till you had been apprised of considerably posterior which occurred in nearer quarters; and you did not see how one transaction rose out of another. I will understand them better they are presented to you regular chain. In laying before you, I cannot make an inconsiderate disclosure. acting in the spirit of our employers, who would charge investigation and encourage position. Either for the for us there is not a passage to be slurred over or glossed.

In our original plan, the not the expectation or the of adding a rood to the nions of the honourable company. Our knowledge of the decision, with which actions of extending our territories possessions is always view home, would have forbidden a project. Territory, indeed to be wrested from none but Pindarries; and you will comprehend the policy which stated, that such conquests be divided between the nabob, Bhopul, Scindia, and Holkar was useful to strengthen the former, who had attached himself to us devotedly; and it was desirable that the two Maharajahs should perceive a of advantage for themselves compensate for the unavoidable dissatisfaction they were to from the completion of our enterprise. The suppression

Pind

GENERAL HISTORY. [201

was our single object. We unequivocally prove the absolute necessity of it; and I cannot imagine the man exists, who present it as one of expediency. Even in the extirpation of the, it would have been a just and a wise undertaking. A nation, whose undisguised aim is, to subsist by plunder around it, is a body which by its own act in a state of every regular government, to crush such a confederate it should farther that strength which every nation has augmented, would be a legitimate and prudent exertion. But such considerations were long gone by. We called upon by the most sacred duty attaching upon a nation, that of protecting its subjects from desolation, to the repetition (confessing) of invasions, which two years consecutively the Madras dependencies in circumstances of unexamined; on that principle we took the field. To limit our purpose to the removal of the Pindarries from districts which they had occupied, would have been a childishness. Too small and powerful to be removed of the smaller states, and, in receding from us, they occupy some other equally convenient for us, whence their expedition would have issued with improved intelligence and activity their having learned to our movements. It was

indispensable to extinguish them wholly. We were not blind to the difficulties of the task. The interception and dispersion of between five and twenty and thirty thousand horsemen, lightly equipped and singularly inured to fatigue, on the immense field over which they had the power of moving in any direction, was an operation that required no ordinary effort. Much more, however, was to be taken into calculation than the agility of our enemies. It was certain that their peril would be regarded with the greatest anxiety by Scindia and by Ameer Khan. I leave Holkar out of the question, though he was interested in the result, for a reason which I will hereafter explain. The Pindarries were an integral, though an unavowed, and sometimes hardly manageable part of the army of Scindia. They were always the ready auxiliaries of Ameer Khan, with whom community of object, rapine, gave them community of feeling. It was therefore sure that those two chiefs would be strenuous in counteracting our attempts to destroy the Pindarries; underhand, as long as their practice could be concealed; in arms, when disguise would no longer avail. We had consequently to aim at incapacitating Scindia and Ameer Khan from taking the part they meditated. Enough was gained from Scindia, could we place him under an inability of moving; but much more was requisite in respect to Ameer Khan. Though his large army was better fashioned and more systematically organized than the Pindarry force, still he was essentially nothing but

but a leader of freebooters. It was of fundamental urgency that his army should be disbanded. Though it consisted of fifty-two battalions, with above one hundred and fifty pieces of cannon, and a powerful cavalry, it was luckily dispersed in small corps, either for the occupation of the widely-separated patches of territory which he had won from different chiefs, or for the extortion of means of subsistence from weaker states. My hope of rendering Scindia and Ameer Khan unable to struggle, rested on this; that I should assemble my force before they suspected my intention, and push it forward with a rapidity which should make any concentration of their troops impracticable. The mere immovability of Scindia would not have answered my purpose. The Pindarries, if pressed by me, would have traversed his dominions and gained the western states, whither I should be precluded from following by a bar insuperable as long as it existed. We were bound by treaty with Scindia to have no communication whatever with those states, so that the Pindarries would, in the disunited Rajpoot territories, have found not only shelter, but the facility of combining their force with that of Ameer Khan. I am showing to you that even here the bonds of public faith were, in my contemplation, less surmountable than physical obstacles. Do you think that I solved this embarrassment by an illicit use of the advantage which I succeeded in gaining over Scindia, by planting myself in the middle of his divisions, and prohibiting any attempt at

their junction? You do not believe it; yet you will like to hear explained on what title I required from him the abrogation of that interdict which forbade our intercourse with the western states. No treaty, in truth, was existing between us and Scindia. He had dissolved it, first by exciting the Pindarries to invade our territories, that he might see how a desultory mode of war might affect our power; secondly, by lending himself the year before to the profligate intrigues of the peishwa, for the subversion of British preponderancy; thirdly, by specific promises given to the Pindarries of making common cause with them, should they be driven to exigency. Will it be said that this was possibly the construction which we put on doubtful information? Though the Pindarry chiefs now prisoners with me have since borne evidence to the truth of all these facts, my vindication shall not repose itself there. Just as I was taking the field, I caused to be delivered to Scindia, in open durbar, his own letters, signed with his own hand, and sealed with his own private seal, addressed to a foreign government, and evincing the most hostile machinations already matured against us. Nothing was said to him on the delivery of those letters other than that the governor-general had not wished to peruse them, and that his highness would perceive the seals were unbroken. I had no need to peruse them, because their contents were displayed by the letters of inferior agents, referring to and illustrating the expressions of the Maha-raja. These particulars are communicated to you

you, that you may see how steadily, notwithstanding the laxity of the other party, our plan of upholding the existing native governments of India was maintained. Did Scindia dispute the verity of the proofs brought against him? No such thing. He sunk under the confusion of the unexpected detection. There was no denial, no attempt at explanation, no endeavour to extenuate the quality of the secret correspondence. On our part, the sole advantage drawn from the circumstance was additional security for the accomplishment of our measures against the Pindarries. The Maha-rajah was told, in mild and conciliatory terms, that the British government would give way to no vindictive impulse on account of what had passed, but would regard his Highness's aberrations, as an indiscretion arising from his not having sufficiently considered the ties of amity subsisting between us; but it was added, that as those ties had not appeared firm enough to secure our just interests, a new treaty should be proposed, which, while it preserved to the Maha-rajah all the solid benefits enjoyed by him under the former one, would give us the certainty of annihilating the Pindarries. Scindia gladly agreed to the terms, which pledged him to active co-operation against the freebooters, and set us at liberty to make those engagements with the Rajpoot states, which alone could induce them to combine and oppose any attempt of the Pindarries to find refuge in the western country. A provisional agreement was settled with those

states instantly on our obtaining the right to take them under our protection.

A more decisive conduct was requisite towards Ameer Khan. As his hand was professedly against every man who had any thing to lose, the hand of every man might justly be raised against him. There were no engagements, express or implied, between him and us. He was, therefore, distinctly told of our resolution not to suffer the continuance of a predatory system in central India. An option on this principle was offered, that he should subscribe to the disbanding of his army, or witness the attack of it in its separated condition. Should he choose the former course, he would be guaranteed in the possession of the territories he had won from states whose injuries we had no obligation to redress; should he risk the latter, he would be followed up as a free-booter with the keenest pursuit that could be instituted against a criminal disturber of the public peace. He had sagacity enough to comprehend that any procedure but submission was hopeless. The positions gained by us through celerity at the outset, rendered the situation of those with whom he had to deal defenceless. Scindia was closely penned between the centre division on the banks of the Sind, and major-general Donkin's division on the banks of the Chumbul. The latter corps menaced Ameer Khan on the one side, while Sir D. Ochterlony's overhung that chief on the other, and the division under Sir Wm. Kier prevented his escaping southward.

southward. In this extremity, Ameer Khan took the wise step of throwing himself on our liberal justice. His artillery was surrendered to us; his army was disbanded; and the British government stood free from embarrassment in that quarter. At that period, which was early in November, I had to consider the objects of the campaign as completely gained; for the Pindaries, sensible of the impracticability of maintaining themselves in their own territories, had begun their march to fall back, on supports of which they did not then know I had deprived them, and were surrounded by our divisions which were then closing in upon them from every side. An apparently well-grounded hope was thence entertained that the extensive revolution which importantly changed the fortunes of so many states, would be perfected without the effusion of other blood than what might be shed in the dispersion of the Pindaries.

That expectation was not realized; but its failure arose from causes altogether unconnected with the plan of our undertaking, or with any steps used by us in the prosecution of it. I mentioned to you that I reserved an explanation respecting Holkar. Though some of the chiefs of the Pindaries held large Jagheers from Holkar's government, they had acted so independently of it, that they were considered as having divorced themselves entirely from it; and that government, on my notifying to them the determination to suppress the Pindaries, reprobated

the lawless ferocity of the booters, applauded the justice of my purpose to chastise them, and closed the letter with expressions of every wish for success. The sincerity of these wishes might have been questionable, though no apprehension of obstruction to our purpose would have attended them. I had not other and more particular correspondence been at that time in process between the British government and our's. Bhye, the widow of the late Maharajah, was, as you know, regent of the state, during the minority of young Holkar. I found herself unable to counteract the insolence of the sirdars, and to preserve the interests of the family, she had sent a vaivoda to solicit privately, that Holkar might be taken into the British government. No overture was met with the encouragement. No burden was indicated, no subsidy required, no stationing of British force in Holkar's territories proposed; the only condition of terms was reciprocal satisfaction in case either state were attacked, and the zealous co-operation of Holkar's government in preserving the assemblage of private associations. While such cordiality reigned between the parties, nothing could see us out of the chances than nature; yet upon a sudden a vakeel was recalled, the dardars with their respective troops were summoned to march with the utmost speed to the sovereign's person, and the determination of marching to Peishwa was proclaimed.

regent. What ensued is fresh in your recollection. The Mahratta army found itself surrounded. Earnest representations of the inevitable ruin which they were entailing on themselves, were made on our part to the government, and many times repeated. The sirdars could not imagine such a feeling as the moderation whence these friendly expostulations flowed. Our assurances that their ebullition should be forgotten, and that we would remain on the same amicable footing as before, if they abandoned their extravagant purpose, were supposed to arise from our consciousness of incompetency to coerce them, and that persuasion increased their temerity to the extent of actual attacks on our out-posts.

The regent alone perceived the precipice; wished to withdraw from it; and was publicly put to death by the sirdars for doubting the certainty of victory the evening before the battle which reduced Holkar to a destitute fugitive.

A similarly unprovoked defection was exhibited by the Rajah of Nagpore. If his inimical disposition was not marked with the same insolent vaunt, it was only because he thought the basest insidiousness would give him an advantage in the attempt which he meditated against the life of our accredited minister, residing under the public faith of a treaty at his highness's court. He kept up his solemn protestation of devoted friendship till the very hour of the attack on the residency. His villainous efforts failed, his courage deserted him, he threw himself on our mercy;

he was continued on the musnud, and every reverence was paid to him, till we detected him in a new conspiracy. Then the simplest principles of self-preservation demanded his removal from the throne.

I have stated these two cases before I touched upon that of the Peishwa, because they will strongly elucidate the necessity of the conduct held towards that prince, if prince be not a title unfitly applied to an individual so filthily stained with perfidy. Our endeavour to screen his reputation, by throwing the whole guilt of the Guyckwar minister's murder on Trimbeckjee Dainglia, when the Peishwa himself was not less actively implicated in it, was so perversely met by him, that throughout the year 1815 we discovered the intrigues of his highness at almost every court in India, to stimulate combinations against us, in revenge for our austerity towards his despicable minion. They were thought to be the effects of an acrimony which would soon subside, and much importance was not attached to them. On finding, however, that they were continued, I judged it right to apprise the Peishwa that I was acquainted with the transactions. This was done in the gentlest manner; and the intimation was coupled with a profession that I ascribed those practices to the indulgence of an inconsiderate spleen, which he would chasten in himself the moment he reflected on its real nature. It was added, that in the confidence of his being solicitous to retrace his steps, I was ready, on the profession of such a disposition on his part, to obliterate

terate the remembrance of all that had passed, and to invite his fullest reliance on my personal efforts to maintain his welfare and dignity. His answer was a protestation of never ending gratitude, for the gentle tone in which I had roused him to a sense of the track into which he had unintentionally slidden, and which could have led only to his ruin. He charged his agents with having exceeded his instructions, which, nevertheless, he admitted to have been indefensible, but which he would expiate by a strict fidelity to the engagements existing between us, now confirmed anew by his most solemn asseverations. Very shortly after we detected him in the endeavour to collect an army, under the pretence of quelling a rebellion, headed by Trimbuckjee, to whom a constant remittance of treasure was made from the Peishwa's coffers, as we knew by the most accurate information of every issue. We were then constrained to anticipate this incorrigible plotter. We surrounded him in his capital, and obliged him to submit to terms which preserved the ancient appearances of connexion, but deprived him of much strength, should he hazard future machinations. At the same time, what we imposed was only a fulfilment of an article in the treaty of Bassein, by which he was obliged to keep up for us an auxiliary force of five thousand horse. Not one of them had ever been retained for us; and the money which should have furnished them went into his highness's private treasury. But we now required that districts yielding revenue to the requisite

amount should be put into hands for the levy and maintenance of the cavalry in que according to the usual custom of the Mahratta states, of assigning lands to sirdars for the subsistence of a specified number of troops. This force, though it would be the Peishwa's for every purpose of service while friendship existed between us, would go on our scale (since we were paymasters) should his highness venture to break with us. He did, you are aware, venture to break with us, but possibly may not have suspected how beneficial that precipitate step was for us. Had he done so, the conspiracy to which he had given a substantial shape much beyond what he conceived, might have burst upon us at an unprovided moment, with mischievous consequences of exertion. The Peishwa trusted to wide co-operation. The sanguinary desire of creating Mr. Elphinstone's army hurried him over hasty in breaking with us, though he had no doubt but Scindia and Ameer Khan would already be in the field against him. The pledges of reciprocal support, settled in 1815, are now all stated against Scindia, the earlier part of the relation. The Peishwa who had resorted to arms, was now informed that Scindia and Ameer Khan had already been reduced to nullity. They had been put out of the question. But Holkar and the Rajah of Nagpore had yet the power of moving. When after their defeat they were asked what could be done to the extravagant Peishwa attacking us, with whom

were in bonds of plighted amity, each pleaded the order of the Peishwa as not to be contested. Holkar's ministers acknowledged their spontaneous petition to be taken under the wing of the British government; but urged, "the Peishwa is our master, and what he commands we must obey." The Rajah of Nagpore, being after his last seizure charged to his face by one of his former ministers with ingratitude, in making those attempts against which he (the minister) had used absolute supplications, answered, that the conduct of the British government towards him had been an unvaried stream of benefits conferred; that there never had been a transient dissatisfaction, but that it was his duty to fulfil every direction from his superior the Peishwa. After declarations like these, after such proof that not only the stipulations of the treaty of Bassein, which annulled the authority of the Peishwa, but that the most pointed oaths and the strongest obligations for benefits received, could not counterbalance the influence inherent in the name of Peishwa, you will

not be surprised at our feeling it irrational to think of re-establishing that title. When the Peishwa, seduced by the invitation of the Rajah of Nagpore, then at liberty and filling the musnud, advanced with his army to the Warda; but on his arrival there, instead of finding the Nagpore army ready to join him, learned that the plot had been discovered, and that Appa Saheb was a prisoner, the impossibility of getting back to his own dominions was apparent. The disposal of them

was then to be considered. It has shewn that there could not have been any admitted. To raise any of Bajee Row's family to the throne with another appellation would have been a delusion. The indefensible character of Peishwa and chief of the Mahratta armies would have been ascribed to the individual, in despite of any barriers of form which we could establish. On that principle we could assign to the Rajah of Satarah only a limited territory, and by no means invest him with the sovereignty of the Poona dominions. On the other hand, should we set up any one of the family without pretension, whether Hindoo or Mussulman, we bound ourselves to uphold against all the distaste and prejudices of the inhabitants of the idol which we had elevated. What was worse, we should have to support against the just indignation of the country that misrule, perhaps that brutal tyranny, which we must expect would take place under any native so called to the throne. It was thence matter of positive moral necessity that we should (for the present at least) keep the territories of Bajee Row, the late Peishwa, in our own hands. A corresponding embarrassment hangs upon us with regard to Holkar, and the state of Nagpore. The exertions made by Holkar, showed to us the dangerous impolicy of leaving that state in a condition to be ever again troublesome: it has on that account been dismembered of two-thirds of its territory. The greater proportion of those lands have been transferred to the Rajahs of Kotah, Boondoe, and

and other Rajpoot chiefs whom we wished to strengthen. Part has been kept in our hands to pay the expense of the troops which the unforeseen change of circumstances requires our keeping advanced in that quarter. With respect to Nagpore, we have taken territory instead of the subsidy payable in money by the original treaty. There are two motives for this: one, that we thereby narrow the power of the state; the other, that the tract connects itself with other possessions of ours, and completes the frontier. You are aware that Saugor, which is the possession alluded to by me, is not an acquisition from the late campaign; it was ceded to us by the Peishwa, by the treaty of Poonah. The manager of it having given shelter to the Pindarries, and having suffered levies to be made openly in this town for the Rajah of Nagpore, when that prince was in arms against us, has been removed from his superintendence. By taking it into our hands, we not only consult our own security, but we are enabled to pay from it to the Jageerdar (Nanna Govind Row, who resides at Jaoun) three times the amount of the sum ever before received by him from the rents. If I talk of narrowing the means of Holkar and of the Nagpore Rajah, I do so on the clear principle of right to dispose of territory won in war. Each of these princes had lost all. Whatsoever they now possess is restored to them by us as a gratuitous boon; and the fact will serve to evince the leading inclination with which we set out, of preserving the then ex-

isting governments of. Though this has not been a progression, the explanation in an unexpected manner in which we find our territories increased has put out of sight for the moment the direct object of our appearance in the field. The fearful pestilence which made havoc in the division under my immediate command, forced us to quit the banks of the river and to seek a more favourable country for the recovery of our numerous sick. I did not march this until I was fifty miles from the river which I quitted. Fortunately the change of situation was rapidly beneficial; for a short time had passed when we received intelligence of a rebellion said to have been going on in Scindia to the Pindarries. It was reported to have passed through them, that if they would march near to Gwalior as to meet us, getting to them easy, he would break his treaty, and join us with the force which he had at his capital. The Pindarries were in full march for Gwalior, and we met even a show of opposition from the troops of Scindia stationed in their neighbourhood though the co-operation of our army for the extinction of the Pindarries was an article of our treaty. We hurried back to the Sinde; but this time we were in a position nearer to Gwalior than what we had before occupied. We were within thirty miles of the city, and our advance guard was sent to occupy the passes through the hills which lie at some distance south of Gwalior from the Sinde to the Chind. Those passes were the only

GENERAL HISTORY. 1899

which commendation could place between the Pindars and Scindia; and I was not to support my advanced policy, the Maha-raja was to bring his mind to a decision. With all the circumstances of the state of things, our stance was not weakened. No great hints were thrown out. It was told that, as I had at the approach of the Pindars, I had thought it an error due to my ally to place us between him and a set of plunderers, who would have been great embarrassments, could they get into his rear and throw themselves in protection. Civility was used by civility. The Pindars finding their hopes baffled, the passage stopped, asked to retire; but they had followed close by our division, were surprised, dispersed, slaughtered in a number of actions. In short they were defeated. And thus our objects completed.

It remains now to be seen, is the change effected in situation. England, there are continual declamations against the policy of the honourable Secretary's government here to our territorial possessions by too large. It is forgotten a tendency to expansion, leading almost to direct annexation, is the inherent and insuperable drawback on the advance of a power established so solidly as that of the British Empire. It would be a visionary hope, to suppose, that your

strength would not excite jealousy, that your riches would not stimulate cupidity, and that your humiliation of those native families which held sovereignty when you first got footing in the country, would not be brooded over with a deep spirit of revenge. Yet a belief in the non-existence of these impulses, is the ground on which they must stand who insist on the progressive increase of our sway as a proof of constant ambition in the honourable Company's local representatives. There may have been cases, though I might find it difficult to indicate them, where prospects of gaining political ascendancy, or too hasty apprehensions of meditated attack, have misled us into hostilities otherwise capable of being avoided: but the general history of our Indian empire is, that we have been wantonly assailed, that we have conquered the unprovoked enemy, and that we have retained the possessions wrested from him, not simply as a legitimate compensation for the peril and expense forced upon us, but on considerations of self-defence, brought home to our conviction by the nature of the violence just offered to us. What recently befel myself, as I have explained it to you, must be the strongest illustration of this eventual exigency. "Recover your strength and try contest with us again," would be deemed a rather absurd address to a treacherous foe whom you had vanquished; but you would as effectively put it on that footing by the restoration of all his means, as if you had given him the advice in terms. Still it may be said, though the augmentation

augmentation of territory may not involve any thing reprehensible, it is not the less to be lamented; since the extension of frontier brings you in contact with new enemies, reduces your strength by widening the circle on the circumference of which it is to act, leaves advanced stations dangerously unsupported, and above all a wider occupation of territory exacts a formidable addition to your military charges.

The argument would be good were the assumptions admitted. Examine whether they ought. Undoubtedly, your sway has been prodigiously extended by the late operations. The Indus is now in effect your frontier; and, on the conditions of the arrangement, I thank heaven that it is so. What is there between Calcutta and that boundary; nothing but states bound by the sense of common interest with you, or a comparatively small proportion of ill-disposed population, rendered incapable of rearing a standard against you. The Mahratta power is wholly and irretrievably broken. Scindia, by having been kept in port while the barks of his neighbours provoked the tempest and perished in it, presents no exhibition of a shattered fortune, but he stands insulated and precluded from any extraneous assistance. I am satisfied of his conviction that his existence depends on his being in amity with the British government, and of his consequent resolution to cultivate our good will. That inclination in him has been, and will continue to be, unfeignedly encouraged by us. Were his disposition different, it

would be matter of no concern to us. He is now girded round by states which we have raised to the power of resisting him, even without our aid, by our having allotted to them most of the territory taken from Holkar; and their political views never can coalesce. You will not forget the direct and heavy defalcation from Scindia's strength in the extinction of the Pindarries. Where is that host, the half of which was to wear us out in fruitless pursuit, while the other half was to get behind us and lay waste our provinces? Gone, vanished; multitudes of them slain in a number of desultory actions, still more of them massacred by the peasantry, as (after abandoning their horses and arms to escape from us through the jungles) they endeavoured to make their way through the country in small parties as travellers. There then remain only states which have spontaneously and earnestly prayed to be received as feudatories under the British banner. It is not conquest that has extended our rule, we have beaten down nothing but the lawless violence which had for so many years made those regions a scene of unparalleled wretchedness. It is not the awe of our power which has made all the Rajpoot states solicit to be united with us. A distinct perception, that the misery which they had so long suffered could not be prevented but by their identifying themselves with us, was the sole motive for the anxiety with which they sought the connexion. In the terms of it there is nothing to affect pride or wound

GENERAL HISTORY. [211

d convenience, so that the deration carries within it utural seeds of dissolution. their internal government ofess to have no right of inence. Mutual support in eld is of course plighted; he price of our superior bution to that contingency engagement that the feuates shall not disturb the al tranquillity by attacking other. Their differences or are to be submitted to the ation of the British govern- and this provision, which quishes the necessity for resorting to the sword on points of honour, heretoforced by the prejudices country, is hailed by them a just conception of its . Thus your enlarged sway ing but the influence arism the reliance of the setates on your moderation, ood faith, and your honest to promote their welfare. l it be said, that to coun- nce this obvious political we must take into account isadvantages of extended ns, and the charges atten- a increased establishments; er, that when the multipli- of points of defence is the diminished means of ng us are also to be con- ted. I have shown to you carcelly any continue to

Our new situation has not it us into contact with any hat can have the wish, or the wish could have the of giving us trouble. All the Indus is attached to The Indus would be a bar- ainst contact, were there

any state on the other side of it adverse to you in its interests. Should any such hereafter appear, it is not your influencing the governments in the vicinity of the Indus that would be the cause of quarrel; and I cannot conceive any stronger dissuasive to enter- prises against us from beyond the river, than the knowledge that all within it are linked with us in the bonds of cordial union. In this view, I deceive myself egregiously if any augmented military charges will not be light indeed, in comparison with the large additional resources secured to meet such eventual demands. This is our benefit in the arrange- ment: what is that of the Rajpoo states? Deliverance from an op- pression, more systematic, more unremitting, more brutal, than perhaps ever before trampled on humanity. Security and comfort established, where nothing but terror and misery before existed; nor is this within a narrow sphere, It is a proud phrase to use, but it is a true one, that we have be- stowed blessings upon millions. Nothing can be more delightful. than the reports I receive of the keen sensibility manifested by the inhabitants to this change in their circumstances. The smallest de- tachment of our troops cannot pass through that country with- out meeting every where eager and exulting gratulations, the tone of which proves them to come from glowing hearts. Mul- titudes of people have, even in this short interval, come from the hills and fastnesses, in which they had sought refuge for years, and have re-occupied their an- cient deserted villages. The
ploughshare

ploughshare is again in every quarter turning up a soil which had for very many seasons never been stirred, except by the hoofs of predatory cavalry.

Here, then, is a display of general advantage, and an exhilarating promise of public quiet. Every one of the facts on which I have founded the representation, is capable of being disproved by each of you with little trouble of inquiry, if I have advanced them incorrectly. I have strangely hazarded my character if they are liable to refutation. If they are not, what we have done is befitting the policy, the equity, the benignity of our country.

You justly appreciate the admirable energy of the officers commanding the divisions to which the more active part of the service fell; and the zeal of the whole of the troops, with the splendid gallantry of those who were on any occasion engaged, merits all the praise which you have offered.

I concur ardently with you in the sentiment you express, of our obligation to aim at rendering what we have done still more beneficial to the inhabitants of India. The main obstacles to our infusing improvement are removed; and we may certainly disseminate useful instruction, without in the slightest degree risking dissatisfaction, by meddling with the religious opinions of the natives. Informations on practical points is what is wanting to the people: for, from the long course of anarchy in those parts, all relations of the community are confused. This go-

vernment will not lose sight of the object. We may surely succeed in inculcating principles of mild and equitable rule, distinct notions of social observances, and a just sense of moral duties, leading, perhaps, in God's good time, to a purer conception of the more sublime claim on the human mind. At least let us do what is in our power. Let us put the seed into the ground, and Providence will determine on its growth. Should it be the will of the Almighty that the tree should rise and flourish, and that the inhabitants of those extensive regions should enjoy security and comfort under its shade, we shall have done much for many of our fellow creatures; but we shall have done well also for that in which our liveliest interest is fixed. The cherished memory of our forecasting beneficence will remain to future times in India the noblest monument of the British name.

The subsequent events, of which intelligence has reached England, may be comprised in a brief summary. Appa Sahib, the captive rajah of Nagpore, had found means to make his escape from a British force under capt. C. Brown, which was escorting him to a place of safety, and flying to the Maha Deo hills, found harbour with a barbarous and independent tribe called the Goands. From the wrecks of his own force, and that of the peishwa, he was speedily enabled to collect around him a body of 3,000 Arab mercenaries, and being joined from time to time by troops of the vagrant Pindaries was enabled to recommence a predatory

datory and irregular war-
 Captain Sparkes, with a
 little band of 100 men,
 set off after a desperate re-
 sistance by this sanguinary chief,
 would listen to no terms of
 surrender: several neighbouring
 villages were captured by him, and
 the adjacent villages mercilessly
 razed. His troops were re-
 versely defeated by the British
 before they could be brought
 to action, and his quarters so
 threatened as frequently to re-
 sist to great extremities;
 the difficult nature of the
 country has proved his security,
 and his accounts have yet been
 silent of his death or captivity.

The deposed peishwa, whom it
 was judged necessary to separate
 the vast space of country from
 some of his former greatness
 in a kind of superstitious re-
 verence surrounding the chief

Mahratta nation, was an-
 nounced to have reached Mutra
 in the month of November on his
 way to Bataur, near Cawnpore,
 a appointed place of exile.

Three months had been
 delayed in his journey; a delay
 partly, it is said, from the
 effects of the rains, by which
 the roads were rendered for a
 time impassable, and partly from
 a want of humanity, which dictated
 the delicate attention of permit-
 ting the vanquished prince to re-
 new the numerous days of ill-
 luck according to his calendar,
 at the Mahratta festival, which
 commenced at this period of the

still more gratifying instance
 of the benign and enlightened
 policy of the governor-general
 exhibited in the treatment of

the Pindarries. The remains of
 this people, after its complete
 destruction as a hostile force,
 were collected together, and
 formed, under the protection and
 at the expense of the company,
 into two colonies, one of which
 was planted at Goruckpour in
 the Bengal provinces, the other,
 and more considerable, in Bho-
 pal, a small state to the north of
 the Nerbudda. Thirty large vil-
 lages were here constructed and
 occupied by the "reformed Pin-
 darries," who are described as a
 simple, inoffensive tribe, perfectly
 willing to lay aside the habits of
 vagrancy and rapacity forced
 upon them by necessity, and to
 occupy themselves with peaceful
 industry, in fertilising the terri-
 tory they formerly devastated.

Dispatches from major-gen. sir
 W. Grant, published at Bombay
 in Feb. 1819, gave an account of
 the capture of the strong fort of
 Rainea, belonging to the state of
 Sawunt Warre in the Walwan
 district, in consequence of which
 this territory returned to the re-
 lations of peace and amity with
 the British, which it had lately
 violated. The important fortress
 of Asseerghur, between the Ner-
 budda and the Tapty, which had
 been held out by one of Scin-
 diah's refractory chiefs, was
 stormed in the month of March
 by major-general Doveton; the
 chief and his principal officers,
 reduced to an unconditional sur-
 render, were to be given up to
 Scindiah, and the garrison sent to
 their respective countries; a
 measure which would effectually
 pacify that district. A strong
 hold in Berar, garrisoned by 600
 predatory Nauicks, was likewise
 reduced

reduced by major Pitman, commander of the Nizam's regular forces in Berar.

In the district of Patna, Achel Sing, a rebel chief who had seduced the inhabitants from their allegiance to their own rajah and their friendship with the company, found occupation for another British corps. Major-gen. Keir, immediately after his successes in Sawunt Warree, was dispatched to reduce to order the province of Cutch, where the rajah had treacherously murdered his brother, an act which it was resolved to resist as a contempt of British authority. This prince who had vainly imagined his fortress of Booj an impregnable asylum, saw it taken by escalade in a few hours, and himself a prisoner to general Keir. Several other affairs of detachments took place in various quarters, all tending to enhance the credit of British valour and discipline, and to impress upon the native powers a strong sense of the vigilance of the governor-general and of the hopelessness of all attempts to disturb the general tranquillity of the country. It is needless to dwell on the particulars of these actions, small for the most part in themselves, but great and splendid in their combined result, which has been thus comprehensively stated. From the mouths of the Indus north-east to the Sutledge, from the Sutledge south-east to Chittagong, from thence to Cape Comorin and Ceylon, an area containing thousands of miles, and embracing 25 degrees of latitude and 22 degrees of longitude,—all is now at peace—we have no public

enemy to oppose. It is little more than twelve months since we were threatened by a confederacy of the native powers, which had for its aim the renewal of every sort of plunder and devastation, and the reduction of the British authority where it had long been paramount. The whole is now dissolved. The turbulent spirits which broke forth, boasting of their strength and power, have shrunk into nothing. The hosts that assembled tumultuously to support their pretensions, are overthrown and dispersed.

“Our attitude during the war was imposing and grand, and the accomplishment of the legitimate objects of the contest has now placed us in a situation to diffuse, with a liberal hand, the comforts and blessings of a wise and enlightened government. The happy effects of an impartial administration of just laws are now beginning to be felt over all the states recently overrun by robbers, and plundered by the rapacious chiefs to whom they in vain looked up for protection.”

Ceylon.—The insurrection of the Candian provinces in favour of a pretender to royalty set up by certain rebellious chiefs, which had occasioned so much embarrassment and danger to the British authorities in that island, has been brought to a fortunate termination. By the following general order, dated head quarters, 31st October, 1818, intelligence was communicated of the capture of the most important among the insurgent leaders.

“The commander of the forces congratulates his majesty's and the

company's troops under
 and, on the important
 ive event of the capture
 o principal rebel leaders,
 pole and Peleme Telawe,
 ay be considered as the
 re to that rebellion their
 ave successfully been
 at to subdue. This im-
 capture was effected in
 nce of the unceasing
 mitted pursuit and exer-
 the detachment under
 mand of capt. Fraser,
 mp to the lieut.-gen.,
 he most inclement wea-
 l with many privations,
 h were rewarded by a
 of that detachment,
 immediate command of
 t Wm. O'Neill, 83rd reg.
 nexpectedly and by sur-
 the residence of these
 hird noted rebel Madu-
 l other inferior leaders,
 arawahaganime, on the
 f the Seven Korles and
 Kalawe, on the 28th
 ernoon, after a fatiguing
 f sixteen miles, when
 y succeeded in making
 the two primary objects
 search, and the others,
 fled, may be expected
 surrender or be quickly
 soners."

galle and another chief
 Ihagama, afterwards
 the hands of the Bri-
 ll the four were then
 ebels and received sen-
 death; and the Ceylon
 thus relates the charac-
 circumstances which at-
 he execution of Keppe-
 d Madugalle.

wo prisoners were car-
 the morning, according

to their own request, to the chief
 temple in Kandy, called the
 Dalada Malagawe, or temple of
 the sacred relic, where they went
 through their devotions, attended
 by the priest, in a small room
 adjoining to that in which the
 relic is deposited. Keppetapole
 then came out into the anti-
 room, where he entered with
 much composure into conver-
 sation with Mr. Sawers, observ-
 ing that no person could alter
 the destiny that was allotted to
 him, and quoting in support of
 this vain theory of predestina-
 tion an apposite passage from
 the books of Buddha. While he
 was speaking a noise was heard
 within the temple, and it ap-
 peared that Madugalle had run
 into the inner apartment, and
 claimed sanctuary under the pro-
 tection of the relic; he was soon
 removed, and both the prisoners
 were then marched under a strong
 guard to the place appointed on
 the bank of the Bogumbera tank,
 near the spot where Ellapola had
 suffered. When they arrived on
 the ground both the prisoners
 requested some water, which was
 immediately brought, and they
 washed their faces and hands;
 Keppetapole then tied his hair up
 in a knot behind, and sat down
 upon the ground near a small
 shrub, which he grasped with his
 toes, apparently to keep himself
 firm in his position. For a few
 minutes he recited some verses
 out of a small Pali book, which
 he requested might be delivered
 to the care of Mr. Sawers for his
 younger brother. When the
 book was taken away, he con-
 tinued to repeat Pali verses until
 the executioner at two blows
 severed

severed his head from his body. His whole behaviour was manly and collected, and he met his death with a firmness of resolution worthy of a better cause.—The conduct of Madugalle was just the reverse; he was too much agitated either to tie up his hair or to bend down his head himself; he was able only to make a faint cry of Arrahhaug, one of the names of Boodha, when his head was struck off also at two blows.—A very great concourse of Kandians, among whom were many chiefs, assembled to witness this execution.

Pelime Talawe and Ihagamma, whose sentence of death has been remitted to that of banishment, set out on the day of the execution, with two other prisoners, under a strong escort, for Colombo.

A general surrender of arms through every province of the interior speedily followed these and some other acts of vigor, and all appearance of resistance being thus ended, the governor was enabled to quit Candy for the seat of government. All was loyalty and submission among the natives as he passed, and addresses of congratulation from the inhabitants of Columbo hailed his second victorious return from the Candian provinces.

In the Malayan archipelago, some subjects of discussions of a rather unpleasant nature appear to have arisen between the British and the officers acting under the authority of the king of the Netherlands; and the following official documents on the subject appear worthy of being laid entire before our readers :

Protest of Sir Thomas Stamford Raffles, lieutenant-governor of Fort Marlborough, against the aggressions of the Dutch in the Malayan Archipelago.

Protest.—The honour and interests of the British government rendering it indispensable to make public and formal protest against the proceedings of the Dutch authorities in the Malayan Archipelago; hereby, as the nearest authority, solemnly and publicly protest against the following proceedings of the representatives of the Netherlands government.—When the agents of the British government transferred the government of Java to the Dutch, the commissioners of the Netherlands majesty called upon the commissioners of the British government to fulfil the engagements which the British government had contracted with the princes during its administration of Java. The British authorities considered themselves bound to insist on their engagements, so, that having accepted the benefit of those acts which were favourable to them, they not reject the burden of which they deemed others. No provision was made in the engagements with the princes, for the contingency of the colony returning to Holland, indeed, did not exist as a nation, and the authorities who administered would have been fully warranted in resigning the whole colony to the native princes. The law which was in consequence laid out to the natives, was that the government competent to

agree

GENERAL HISTORY. [117.]

misinterpretation. With-
in language, the British
see have done what was
in the eastern islands.
siding measures, of which
Netherlands government are
being all the benefit, could
not be effected, had not
we relied on the British
not being able to secure
a perpetuity of those
which they had recognised.
commissioners-general of
Netherlands majesty, how-
ever to guarantee those
and the consequence was
a protest on the part of
his authorities, who, on
of this and other mea-
sures of the Netherlands go-
vt, were compelled to
advise, under a declaration,
there was an evident disincli-
ne to concede any thing to
us and character of the
action in the Eastern Seas;
judging by the general
conviction, there seemed rea-
son to believe it to be the wish of
Netherlands government to
in recollection of the Bri-
tish administration, and studiously
not the native princes and
receiving any influence of
his government in the ar-
rangs of that transfer.—
are the early impressions
British authorities, and the
ent proceedings of the
lands government will show
they are correct.—The
government considered
the princes as independent
ones, and treated with them
equally. The Dutch refused
to respect or respect our treat-
ies would appear to have

considered these islands as
of the British nation as unconstitu-
tionally subjected to their dis-
posal.—If this be unjust with
regard to the settlements actually
subjected to European control,
what must be thought of it with
regard to those states which have
risen into independence, and main-
tained their connection with Bri-
tain in opposition to the restric-
tive policy of the Dutch? The
representatives of his Netherlands
majesty would seem to aim at an
absolute despotism over the whole
Archipelago, with a view of ex-
cluding other European nations.
The British had encouraged uni-
formity of freedom as far as was
compatible with tranquillity; and
had led the natives to rely upon
them for the continued enjoy-
ment of them.—But whatever
may be the arrangements or ar-
guments of the Netherlands go-
vernment with regard to the Ar-
chipelago generally, it is not ne-
cessary to go beyond the confines
of Sumatra for evidence of the
system which they seem deter-
mined to pursue, and against
which it is the main object of this
paper to protest. The circum-
stances are as follow.—By the
2nd article of the convention of
the 19th August 1814, the British
government ceded the island of
Banco to the king of the Nether-
lands.—This island, valuable on
account of its tin mines, had, in
the year 1812, been previously
ceded to Great Britain by his
highness Sultan Najemudia, of
Palembang, on the express con-
dition that all former contracts
and agreements should be an-
nulled, and that the Sultan should
be

be maintained and supported in his dignity by the British government, without the further interference of the European government in the affairs of Palembang. So important was this stipulation considered by the Sultan, that on the 1st August 1813 it was an express article of an explanatory treaty, that the former clause, which stipulated that his highness should do homage, or consider himself always dependent on the government of Java, was "null and void," as being unnecessary under existing circumstances.—When the British were about to withdraw from Java, and arrangements were made for the transfer of Banca, it was necessary to withdraw the small British force which had provisionally remained at Palembang for the protection of the Sultan. On that occasion the Sultan appealed to the British government in the strongest terms. The following extract from one of his highness's letters to the hon. Mr. Findall, may be sufficient for the present purpose:—"I hasten to send back my ambassadors to Batavia to wait upon my friend the lieutenant-governor, of whom I earnestly entreat that he will confirm and settle all the arrangements regarding me and the country of Palembang, as heretofore existing, and that those relations may remain uninterrupted, notwithstanding the establishment of the Dutch government on the Island of Java. I cannot on any consideration separate myself from the friendship existing between me and the British government; and I place my reliance on the British go-

vernment, that their protection may not be withdrawn, &c. cannot understand any power upon which I can have more dependence than the British government, &c."

In the same manner British authorities had upon the commissioners-governors to guarantee the treaties with other princes, they called them to respect that with the Sultan of Palembang; but the commissioners refused compliance with this request: a solemn protest was accordingly made on the part of the British government, and the question was referred to the authorities in Europe. The grounds on which the British authorities felt themselves warranted in requiring a particular manner, that the existing treaty with the Sultan of Palembang should be respected, were obvious. That treaty had been fully recognised, as the wish of his Britannic majesty as well as the majesty of the Netherlands was no longer a connexion pendant on the local government of Java. The island of Banca was not considered to remain under the Dutch as a matter of course, but under the general provision of the convention of 1814; which required that an express stipulation should be inserted in the convention, and his majesty the King of the Netherlands having retained the island of Banca under an express article, must be bound to respect the treaty by which it was originally ceded to the British. The very act by which the Netherlands government took possession of Banca, confirmed the independence of Palembang.

re

GENERAL HISTORY. [111]

d it incumbent on the government to maintain independence unimpaired. the British government itself of the benefit which rived by the treaty with ang, they were surely o fulfil that part of it as beneficial to the Sul-aving transferred Banca eign power, the British ent became bound in and good faith to fulfil res condition on which st obtained it.—Bound, e, as the British govern- m, to maintain the rights nity of the Sultan, as the r which Banca may be ed to have been pur- and deeply interested as in protecting the inde- e of the port of Palem- was with surprise that I l, on the 17th of June, a om the Sultan, of which lowing is an extract.— is present time there is ouble and anxiety owing onfusion and alarm spread rriaval of a great Dutch- alled Edelia Muntinghe, shes to enter the country mbang, and says he was ar by the Dutch commis- general, for the purpose municating with me. At he is at Minto, and it is in when he may come to ang. The object of his I do not know, but he has a ship of war to precede the river, &c. &c. I hope y friend will afford me er assistance he possibly id also give me instruc- n order to prevent the from at all or in any way

affecting my present state and situation, by introducing dis- turbance and confusion in the country, and by co-operating with those who wish to destroy my respect and authority; for I most fully rely on being, through the kindness and assistance of my friend, securely and firmly established in the rule of the country, &c. &c. I request my friend will send me an early reply, and that my friend will at the same time send me something to hold to, for I am still in a state of very great anxiety and alarm."

On receipt of this intimation, capt. Salmond was directed to proceed to Palembang; as agent of the British government, under instructions (dated Fort Marlborough, 20th June 1818) of which the following is a copy, viz.

"To Capt. Salmond.—Sir:— You are hereby appointed to proceed on a special mission to Palembang, the object of which is to afford to the Sultan the protection of the British government.—2. I am unacquainted with the measures which may have been pursued by the Dutch government with respect to Palembang; but whatever they may have been, they can in no way interfere with the duty of the British government, to support the present Sultan, Ratoo Achmed Najumudin, on the throne, to which he was raised by their authority. This, indeed, was the express condition on which he ceded the island of Banca.—3. The Dutch government have no claim whatever to a footing at Palembang, by virtue of the recent convention, and therefore it depends upon the Sultan, as an independent

pendent prince, whether he chooses to admit them or not. In his recent communications to me, he expresses himself to be in the utmost distress and anxiety, in consequence of the disorder and confusion into which the country has been thrown, by the expected arrival of a Dutch commissioner, and in full hope that I will give him proofs of my assistance and friendship, calls upon me to know what I can do for him, as his sole reliance is upon the British government, who raised him to the throne.—4. From this it would appear, that the Sultan has not yet entered into any formal arrangement with the Dutch government; but as they may have taken measures for forming an establishment, in defiance of the protest of the British government and of the rights of the Sultan, no time should be lost in calling upon the Sultan to make his election; and if he is desirous of excluding the Dutch, and of remaining under the British protection, an explanatory treaty should be negotiated.—5. At all events, it will be your duty to convince the Sultan that he is not abandoned by the British government; and should he place himself unequivocally under its protection, to afford him that protection to the extent of your means, and to require that the Dutch withdraw all pretensions, and in no way further interfere with the affairs of Palembang.—6. It is, perhaps, unnecessary for me to suggest the propriety of all your communications with the Dutch authorities of Banca or elsewhere being as guarded as

possible, but at the same time the spirit of harmony and understanding which exists between the two governments. I inclose the translation of the accompanying letter to the Sultan of Palembang, who will be pleased to deliver your highness immediately on your arrival.—Relying on your judgment and discretion in the execution of the duty required of you, I am, &c.

(Signed) T. S. R.

The following is the letter from the Sultan, alluded to in the above instructions:

“To his Highness R. M. Najemudin, Sultan of Palembang.—(After compliments).—I have received your highness's letter, sent by your Utusan, as well as the letters from the members of your highness's council. Your highness calls upon me for assistance, in order that the peace may be maintained on the island of Palembang; I, therefore, spare no time in sending to your highness's court captain Salmond, a gentleman in whom I place confidence, and who will represent me in inquiring into the grievances complained of by your highness and your council. This gentleman has also received authority from me to adopt such arrangements that may tend to your highness's security.—I request to bespeak your highness's kind offices to captain Salmond and the gentlemen of his suite.—I have nothing more to say to my friend but the British salute. Written at Marlborough, June 1818.”

Subs.

GENERAL HISTORY. [221

Subsequently to the departure of Captain Salmond, a further letter was received from the Sultan, of which the following are extracts :

Further acquaint my friend, on the 29th of Rajah 1233, great man, called Warner an Muntinghe, entered Pang with apparently hostile intentions, consisting of his ship and one brig of war, a boat, and upwards of twenty crews. There were also some Rajah Ahib, a native of and Pangeran Shiriff Maho-together with many others of different descriptions. He brought me letters from commissioners-general and Governor-general of Batavia. The letters which I received inform me that they send Mr. Muntinghe as a commissioner to inquiries respecting Banca Palembang, and request me to give him due honour and regard as their representative. On the next day he waited upon me and said he brought orders from the commissioners-general at Batavia, requiring me to make a division of the villages, in order that one-half might remain to the former Sultan, named Budrudan, and the other remain with me. He at the same time wished to give me 1,000 dollars a month, and said I must conform to these terms; that if I did not, an attack to that of major Robin-son would certainly take place; and, that of dethroning me. Several vessels of war were anchored directly opposite the gate of my village if he intended to have re-

course to compulsive measures, without further discussion.—Be it known to my friend, that whenever I mentioned the name of my friend, the British government, his anger increased; and if I am not now at once assisted by my friend, my destruction, perhaps my death, is inevitable. Let the orders and assistance of my friend, whatever they may be, come quickly to Palembang.—Further, I have been found fault with for receiving my friend's letter, and have been told by him (Mr. Muntinghe) not to send any more people to Bencoolen. I replied, "How, can I not receive the letters of my friend, having been raised to the throne by the British government; I certainly must remember its kindness and attachment, and never can forget the same, or separate myself from it," &c. &c. He also desired me to dispatch persons without delay, to overtake those I before sent with the letter to my friend, and get back the same from them; and it is owing to this circumstance, that I am now enabled to forward the present letter to my friend; and let him not take offence at the unsuitable manner in which it is done. But my friend knows too well how unhappily I am at present situated to do this, &c. &c. I having nothing to send my friend but tears which never cease to flow."

The following additional instructions (dated Fort Marlborough, 24th June 1818), were in consequence forwarded to Captain Salmond, on the 24th of June.

"To Capt. Salmond.—Sir, since

since your departure a letter from the Sultan of Palembang, of which the enclosed is a translation, has been received.—The Dutch having proceeded to actual measures of aggression, I have deemed it necessary to address the chief authority of that nation at Palembang, and as circumstances have considerably changed since your instructions were issued, I must leave the rest to your discretion and judgment.—I enclose a copy of the letter addressed to Mr. Muntinghe, together with the proclamation therein referred to, for publication, if necessary.—I am, &c.

(Signed) T. S. RAFFLES."

Copy of a Letter to W. H. Muntinghe, esq. dated Fort Marlborough, 24th June 1818.—"Sir; It is with the utmost astonishment and surprise that I have just received information of the measures pursued by you at Palembang, as representative of the commissioners-gen.—It is stated that you have taken up a warlike position off the Sultan's palace, and demanded of him to surrender one-half of his country to his brother, the deposed Sultan Mahomed Budrudan, and in the event of not doing so, threatened him with dethronement.—It is impossible, Sir, for you to be ignorant of the circumstances under which the Sultan Najumudin was raised to the throne; and that his Britannic majesty having by an express article of the convention ceded Banca to the king of the Netherlands, is bound to protect the Sultan in his rights and dignity.—The king of the Netherlands having further accepted and taken possession of

that island under the treaty by that act, fully acknowledging the independence of the whatever, therefore, shall authority of that prince, also the only title by which Britannic majesty could Banca to the Netherlands government.—I can hardly bring to believe that this act, in part, is authorised by the commissioners-general; and less that you, Sir, above, should have taken upon you to act in the manner above towards a prince under immediate protection of the government.—The Netherlands government have no right ever, under the recent convention, to claim any interference at Palembang; and all interference there, after the protest of the British government on Java, and in defiance of the authority of the reigning Sultan, is an unwarrantable and unjustifiable aggression on their part. As such I view your conduct, and hereby protest against such measures, holding you liable to the authorities of the Netherlands for every act injurious to the rights and dignity of the Sultan.—I do hereby further declare null and void all engagements that you make at Palembang of the nature alluded to, and I require of you to discontinue in removing from Palembang all military force of every description now stationed there. In reference to the little sum paid by the commissioners to the protests of the Netherlands government on their part on Java, I shall deem it my duty in the event of demur on your

for

with to proclaim at Palembang and throughout the Archipelago, that all interference of the Netherlands government in the politics of Palembang is unauthorized, and that your arrangements are declared null and void. I expect that the government of Java will at an early period give instructions to withdraw from Palembang; at all events, I shall have immediate reference will be to his majesty's ministers on this subject, and it will be for their consideration of the authorities at home, to decide in how the measures pursued by you on the title on which Banca was added to the king of the Netherlands.—Until the affairs of Palembang are satisfactorily arranged, I shall retain the settlement of Padong on this coast. I give the honour to be &c. &c. d) T. S. RAFFLES.—

I intrust this letter to Captain Salmond, who is charged with a special mission from me to the court of Palembang, and I do request you will respect his suite accordingly." In consequence of the state of the letter thus communicated to Captain Salmond, and the information he obtained on his route, I judged it advisable to provide without the escort which I had accompanied him over the road and to direct that the party should not follow until orders were received from him, a precaution taken by Capt. Salmond in order to prevent the possibility of disturbance, or the misinterpretation of his views, which was the change that had taken place. I was simply to deliver my
 . LXI.

letter, and to ascertain the sentiments of the Sultan.

On the 2nd inst. a dispatch, of which the following is an extract, was received from Capt. Salmond.

"I have the honour to inform you that myself and suite arrived at Palembang about 8 A. M. on the 5th inst., and were received by his highness the Sultan Achmed Najemudin, who conducted us to the small fort or palace lately occupied by the Ex-Sultan, which was given us for our accommodation. His highness immediately entered into the engagements which you had suggested, with much pleasure (and on which I shall further communicate with you on my arrival at Fort Marlborough, as I am necessitated to close this letter in haste), and as a proof of his alliance with the British government, immediately hoisted the Union Jack on the walls of the fort.—In the afternoon I received a visit from Captain Bakker, of his Netherlands majesty's frigate at anchor in this port, accompanied by Captain Vander Wyck, of the engineers, who brought a letter from Mr. Muntinghe, to which an immediate answer was requested; but as the subject of it required some deliberation, the want of rest which we had experienced some days past made me desirous to postpone a reply until next morning. It however contained three propositions, to which I immediately gave a verbal negative answer, that is, 1st. That after receiving a reply to the letter you addressed to him, I would immediately fix my departure for Bencoolen the same day.

[Q]

day. 2nd. That on my return home, I would accept of a military safeguard from outside as far as the limits of Bencoolen. 3rd. That I would immediately withdraw the British colours hoisted on the Sultan's palace.—Shortly after sunset in the evening, a number of the natives, who were in the palace with us, informed me of the circumstance of an armed party having surrounded the same, and prevented further ingress or egress; and they were represented to be the partisans of the ex-Sultan and Rajah Ahbib, of Siak. I immediately directed inquiry to be made at the outer gate by whose orders they were placed there; to which they replied, Mr. Muntinghe's, and that they would oppose any one that attempted to pass them. I then wrote to Mr. Muntinghe on the subject, and was informed, in reply, that not having acceded to the abovementioned requisitions, he was called upon to take these measures to maintain the rights of his majesty the king of the Netherlands; and that, in addition to the former requisitions, he now added that of demanding our arms and ammunition, and putting myself and suite under the safeguard of the Netherlands government, or it would become unavoidable to repel, what he was pleased to term our hostile measures; to which, of course, I refused to comply. I soon afterwards received another letter from Mr. Muntinghe, principally on political points, to which it was unnecessary for me to reply, and concluded upon insisting upon his first offer. In answer I

referred him to my former letter. At half-past three A.M. on the 5th, I was awoke, and found the three officers with an armed party were come to the palace, and upon their entrance, they presented a letter from Mr. Muntinghe to surrender myself and suite. I objected to deliver over the arms, but told the officers that I would parade the Bugis, and if they thought proper they might take them, which they did, when an armed force of Europeans were brought in front, and we were immediately escorted to the water-side by an armed party of Europeans and natives, and conveyed over here. The side arms of myself and Bugis officers were left us.—My political functions being at an end, I have written a private letter to lieutenant Haslain, recommending him to return with the escort to Moarro Bulliti to wait your further orders, and beg to inform you that I consider it impossible for them to land here or even to proceed down the river, if opposed, which it is most probable they would be by the vessels of war of his majesty the king of the Netherlands now at anchor off the fort."

Capt. Salmond having ascertained that the Sultan had in any way committed himself to the Netherlands government by any legal act, the following are the articles of the treaty entered into on the 4th July, 1818:

"This is a solemn treaty the day entered into between his highness Ratoo Achmed Najmudin, Sultan of Palembang, on the one side, and captain Francis Salmond

GENERAL HISTORY. [225

as the representative of
 sir Thomas Stamford
 lieutenant-governor of Fort
 on the other:—1. His
 being desirous of the
 of the British govern-
 of excluding all other
 nations from his domi-
 lieutenant-governor of Fort
 igh hereby agrees to
 igh military establish-
 all be adequate. 2. The
 his part, agrees to re-
 said military establish-
 l to provide for the ex-
 ereof. Signed, sealed,
 ered, in duplicate, at
 g, this 4th day of July,

not be unnecessary to
 at the first application of
 for the advice and as-
 f the lieutenant-governor of
 was received on the
 ; and that on the 21st
 highness was informed
 itish government would
 a the protection requir-
 the interim, and while
 of the preliminaries be-
 embang and Bencoolen,
 h commissioner com-
 measures of coercion;
 on the 4th of July the
 nts between the court
 ang and the lieutenant-
 of Bencoolen were con-
 d proclaimed by the
 f the British flag on
 of the fort.—In expla-
 would appear, that on
 f June, only ten days
 o the arrival of captain
 and while it was pub-
 v'n that a British agent
 is way to Palembang,
 provisions having been
 by the Sultan for the

convenience of the party on their
 way down the river, the unfortu-
 nate Sultan was compelled to re-
 sign his authority, and to deliver
 over his palace. On that day the
 Dutch commissioner stated that
 he obtained seals and signatures
 to a treaty, which nominally
 transferred all authority to the
 Dutch; but it is not proved in
 what manner the same was ob-
 tained. That they were obtained
 in an unlawful manner, that is to
 say, *vi et armis*, and by intima-
 tion, cannot be denied; and, in-
 deed, the letter from the Sultan
 above quoted, and the act of his
 immediately hoisting the British
 flag, would be sufficient evidence,
 were not the details which could
 be produced conclusive on this
 head. The Sultan is understood
 to be at this moment a close pri-
 soner; and, not to introduce into
 this paper any particular which
 might be construed into a desire
 to lower the character of these
 proceedings below a fair standard,
 it may be sufficient to insert the
 following extracts from the com-
 missioner's statement, in order
 that it may be contrasted with
 the evidence above adduced:—

“I have the honour to acknow-
 ledge the receipt of your official
 letter, dated Fort Marlborough,
 the 24th of June last. If the in-
 formation which has reached you
 with regard to the measures I was
 pursuing at Palembang, under
 the authority of the commis-
 sioners-general, has been able to
 raise your surprise and astonish-
 ment, it was on the other hand
 with no less degree of regret and
 consternation that I was affected
 on the perusal of your letter, and
 on being apprised of the further
 [2 Q 2] measures

measures you had determined upon, if you allow me to say, on such a slight foundation.—The natives, on whose reports only every information depended that could have reached Fort Marlborough at the date of your dispatches, left Palembang at a period when I myself had not yet arrived at that place, when no overtures of any nature had as yet been made to the court of Palembang, when the military force stationed at Palembang was still far below the usual rate of that garrison, and when of consequence every intelligence sent off with regard to the demands I had to make, and to the military force I should station there, could only be conjectural and premature, and naturally would be exaggerated and erroneous.—So they have in fact proved to be. The military force even now collected at Palembang falls short of what a usual garrison ought to be, and does certainly not exceed the limits of a mere protection to a settlement where not a single entrenchment nor place of safety is to be found.—If, therefore, the usual means of self-preservation have been able to raise the apprehensions and anxiety of a pusillanimous court, it is a mere accident, not to be imputed either to me or to the higher powers under whose authority I was acting.—Nor did my instructions say to use threats or military force against any of the Sultans.—It was not these warlike means that were depended upon for the success of my mission. A hope for this success was raised on a better foundation: on the natural force of truth in con-

vincing the Sultan Naya Moedin of his wrongs, and of the acts of hostility which he had committed, or allowed to be committed, by his subjects, as well on our own territories as on those of our allies, and on the irresistible influence which the principles of a liberal and humane administration would have on the hearts of all the people of Palembang, as soon as they were tendered to them, in lieu of that state of bondage and oppression to which they had been degraded by the unwarrantable conduct of their Sultan, Naya Moedin, and his adherents. And, instead of threats and warlike force, I have the greatest satisfaction to acquaint you, that it was by mere peaceful and persuasive means, not only without drawing a sword or firing a shot, but without a single affray, without any individual being hurt, or even restrained or curtailed in his personal rights or liberty, that I was fortunate enough to establish a new state of affairs in this country, and to obtain the free assent of both the reigning and the ex-Sultan to arrangements which, according to my own view of the subject, and under the orders under which I acted, most certainly I had a right to make; and from the operations of which, it may be expected, that the whole population of Palembang, from the very low state of want and oppression to which they have been reduced, will make a rapid stretch towards the enjoyment of ease and plenty, and of all those rights and comforts which are dependant on a state of personal security and civilization.—It was by the warlike rumours of your military

litary detachments descending from the mountains that my messengers were stopped on their way, going up to the poor inhabitants of the country, to announce to them the abolition of their Tiban and Tookon, of every kind of forced labour and delivery of produce, and, above all, of the abominable custom of enslaving, not only individuals, but whole families and generations of them, for the trifling amount of a civil debt.—But how could it be the fate of these humane principles, to be stopped in their course by a friend to humanity, by excellence? how could the patron of these principles rise up in opposition to the accomplishment of his own system, and the lieutenant-governor of Fort Marlborough oppose, what it was, and ever will be, the glory of the late lieutenant-governor of Java to have first proclaimed?—I am sensible, hon. Sir, you would want here to put a stop to my argument; you would remind me that it is on a right by contract that you found your claims, and, pointing to the final clause of the treaty you allude to, propose your system, that the Sultan of Palembang was an independant prince, under the protection of the British government, where former rights were to be left untouched, even should humanity suffer by it.—As it seems that on these points a difference of opinion has existed between the commissioners-general and the late British authorities on the island of Java, it perhaps might be my duty to withhold from entering on the subject: and confining myself to the orders under which I am bound to

act, I refer you for explanations to the higher authorities at Java; but considering the decisive measures you have already entered upon, and the circuitous way by which any explanation could reach you from Java, I will take it upon myself to enter into some explanation, though always with due deference, and save the different view my superiors might take of the subject * * * *”

On the tone in which the Netherlands government are determined to maintain their system, some idea may be formed by the following additional extract from the letter of the commissioner at Palembang:—

“Of the facts constituting such a breach of faith (on the part of the Sultan) they, the Netherlands government, are naturally, as an independent power, the sole judge in these quarters of the earth; and it would be highly improper to enter into any justification of them but before their higher authorities at home, who have a right to call for it, and to whom a reference lies open on the subject.”

On the act of publicly arresting the person of the British representative, after that officer was publicly accredited and recognised in that capacity by the Dutch commissioner, and while he was sleeping under the protection of the British flag, hoisted by an independent prince in alliance with Great Britain, there can be but one opinion; but so little is an act of the kind now thought of by the Dutch authorities, that the commissioner, though voluminous in his correspondence on other points, does not

not even condescend to offer an explanation, much less an apology, on this. Whatever measures might have been found necessary for the support of the authority that thus had so unjustifiably been wrested from the hands of an unfortunate prince, under the immediate protection of the British government, it is to be regretted that nothing less than open insult, and the degradation of the British character in the eyes of the natives, and this on a spot where British valour had recently been so conspicuous, and where the Dutch gratitude was so imperiously called for, would have been resorted to.

Justly indignant at conduct so unjustifiable on the part of the representative of a nation at peace and friendship with Great Britain, and desirous to check the progress of a system of which it is to be feared this will not be found a solitary instance, I do hereby most solemnly and publicly protest—First, Against the whole of the proceedings of the Netherlands government at Palembang, as unjustifiable, and in direct violation of the rights and treaties which it is incumbent on them to respect; by which proceedings, not only the character of the British government is seriously involved, but its proceedings with regard to Banca rendered questionable.—Secondly, I protest against the general proceedings of the Netherlands government, in disregarding the solemn protests made by the British authorities before they quitted Java, and do declare null and void all arrangements, not provisional in their nature, which may have been

made in defiance of those tests.—Thirdly, I further protest against any military force sent by the Netherlands government to any place within the Archipelago, with which the British are in alliance and commerce, in which the Dutch did not actually fly on the 11th of Jan. 1803, with the exception of such as may have been in the charge of the British government at that date, and may be regularly transferred. Lastly, and in the strongest manner, I protest and appeal against the insult offered to the representative of the British government, in the arrest of the person of captain Salmon, the British agent at Palembang, holding the representatives of the Netherlands government in this respect responsible for all the aggression and insult committed therewith, and which will hereafter be made known in another place, unless prompt and adequate satisfaction is given.

In conclusion, I deem it necessary to state, that the object of this protest is not directed at the minor measures of their proceedings, nor of the commissioner at Palembang, nor is it intended to affect the personal good standing and harmony which happily prevails. I have reason to respect and esteem them. I protest against the political system by which the representatives of the Netherlands government, they have it their duty to adopt, that test; a system by which the interest of the Netherlands government appear to be exclusively considered, without the least

GENERAL HISTORY. [229

re being had in how far the
r and interests of the Bri-
tion may be involved there-
To such a system it is in-
nt on me to oppose the
and duties of the British
ment; and it is to be hoped,
then the character and in-
of both nations are duly
iered and deliberated upon
gher authorities, such a li-
policy will be resolved, as
t once put an end to the
sion and irregularities which
continue, and even increase
alarming extent, while the
t system is allowed to be
ered in.

by me, the lieutenant-gov.
Fort Marlborough and its
endencies, at the Court-
use at Marlborough, this
h day of August, 1818.

(Signed)

T. S. RAFFLES.

(Registered)

W. R. JENNINGS,
tary to Government, and
Registrar.

e following documents, re-
d since the signature of the
: protest, are annexed, as
acted with the very extraor-
y proceeding at Palembang,
rom which it would appear
the Sultan Achmed Nujen
n has been actually deposed,
his brother raised to the
e in his place, by the Dutch
missioners at Palembang.

*Relation of a Letter from Sul-
: Achmed Nujemudin, of Pa-
abang, to the Lieutenant-Gov-
nor of Bencoolen.*

Capt. Salmon, on his arrival
Palembang, had immediately

an interview with the Sultan,
when he presented to him a let-
ter, and a flag that accompanied
it, from the hon. the lieutenant-
governor of Fort Marlborough,
which were received with the
greatest joy and with every mark
of respect.—The flag was then
ordered to be hoisted, and a letter
sent by captain Salmond to Mr.
Muntinghe. It is not known what
may have been the nature of the
communication thus made, but
Mr. Muntinghe sent to call capt.
Salmond, and to order him to pull
down the British flag which had
been hoisted by the Sultan. Cap-
tain Salmond replied, that he dared
not to pull it down; and after
this, not to enter into details,
there came a party of Dutch sol-
diers, together with a party of
Palembang people favourable to
the interest of the ex-Sultan, and
also of Siaks, to the number of at
least 700 in all, by the two latter
of whom the residence of the
young Sultan was surrounded by
order of the Dutch, so as to pre-
vent all communication with him.
—At sunset the flag, according
to custom, was ordered by the
Sultan to be lowered and taken
in. He himself was then confined
by the Dutch, and no egress or
ingress on any account permitted,
and early the following morning
the flag-staff was cut down by the
Dutch.—The Sultan's place of
confinement was a small apart-
ment on the eastern side of the
new fort, which did not admit of
more persons being accommod-
ated there than ten petty offi-
cers, who were all that were with
him, the rest of his people being
obliged to remain outside. Cap-
tain Salmond and those with him
were

were taken by Mr. Muntinghe, at four o'clock in the morning, and have now been sent off direct to Batavia in a small vessel.—The persons who were deputed by the Sultan to meet and receive captain Salmond on his arrival at Palembang, viz. three Pangerangs, a Tumungung, a Ranga, and a Demang, were all seized and placed under arrest within the Dutch entrenchment.—The Sultan still continues a close prisoner, and no communication is permitted between him and any one outside. The only persons allowed to pass in or out of the place where he is confined are some women, who are employed to fetch water and buy provisions for him, and it is only at stated times that this indulgence is granted, and for a very limited period that they are allowed to be absent. Such is the inconceivable state of misery and distress to which the Sultan has been reduced. Trusting, however, to the benevolence and compassion of the British authority at Bencoolen, and firmly relying on assistance from thence, he has peaceably borne with and submitted to all that has befallen him. Night and day he anxiously hopes that the honourable the lieutenant-governor will afford him speedy relief; for so great is the misery and the shame he now feels, that he cannot keep his eyes dry."

Deposition of Ki Baha Sanghing and Pali Jenah, taken at Fort Marlborough on the 1st August, 1818.

The deponents state as follows:—The letter this day brought by

them to Fort Marlborough the Sultan at Palembang presented to the hon. the governor was smuggled to the place where the Sultan is present confined, within the precincts of the New Fort, by one of his female attendants, who is employed to fetch water and provisions, and on that account are the only persons permitted to pass in and out, and that at stated times, and for very limited periods. The strict manner in which these women are seized by the Dutch guard place the Sultan, every time they come out of his place of confinement, and the circumstance of one of them, on whose presence a letter from the Pangeran was sent to his wife, merely respecting some domestic affairs, was being nearly flogged to death, rendered much precaution necessary, and the letter in question was accordingly bound on the naked thigh, and thus escaped detection. Similar precautions were necessary to enable the deponents and their followers to get out of Palembang, guard-spies being stationed about the town to stop and examine all persons passing up and down the river for this purpose they went one by one to an appointed place of rendezvous in the woods thence departing together, and travelled by stealth across the country, and by a difficult and circuitous route reached Fort Marlborough in twenty-one days. The letter, which, from the writing, appears to them to have been written either by the Sultan himself or his brother the Pangeran Depati, who was in c

GENERAL HISTORY. [231

h him, was delivered to the female already mentioned in injunctions from the convey it without delay. The lieutenant-governor of Fort Mudge, and on no account fall into the hands of the any of the ex-Sultan's. It was well understood

Muntinghe first of all tried to obtain the consent of the Sultan to arrange it were favourable to the of the ex-Sultan, and al to his own, but of ey do not know more of ulars than that the Sul- to have a monthly allowance of one thousand dollars, of rice, and 100 gantals, and be paid the gross 5,000 dollars, to repair the old palace for accommodation.—That the positively refused to enter such agreement, on which Muntinghe acted as he has opposition to the wishes, withstanding the remonstrances of the Sultan; that they actually assure the Sultan never and or seal to any treaty or document whatever signed with the measure lately at Palembang: on the he invariably told Mr. he that he could not, and it accede to any arrangement proposed by him; that he the power to resist his could not prevent him doing whatever he pleased self and the country, but would not voluntarily relinquish his rights or authority. refused to move out of the although pressed in the same manner to do so, and

it was not till after the Dutch frigate and other vessels were placed opposite to it, and he was told that it would positively be battered down about his ears, and preparations were apparently making to carry the threat into effect, that he agreed to move into that part of it where he is now a prisoner, still refusing to quit it altogether.—The Regalia were not got from him till after the departure of captain Salmond for Batavia, and many threats had been used on the part of Mr. Muntinghe, to take him by force and send him to Batavia.—The ex-Sultan, in consideration of being again placed upon the throne by Muntinghe, agreed to make over to the Dutch the whole of the interior of the country, and to pay down the sum of five lacs of dollars in cash and valuables; the sum of four lacs was received by Mr. Muntinghe, and shipped by him; the payment of the remaining lac was to be made after Mr. Muntinghe's return from the interior, and his effecting the expulsion of all the British troops from the territory of Palembang.—The warlike equipment which Mr. Muntinghe fitted for this purpose, consisted of about 100 troops, Europeans and natives, 100 Siaks, and 1,000 Palembang people, armed in various ways, and who were conveyed in 1,804 boats, in which were mounted eight large guns, and about 100 small ones.—When they left Palembang the Dutch had a ship of war of 22 guns, and a large military force there.

(Signed)

T. S. RAFFLES.
Fort Marlboro', Aug. 15, 1818.

Sir

232] ANNUAL REGISTER, 1819.

Sir Stamford Raffles has been meritoriously occupied in the task of exploring the interior of Sumatra, never before penetrated by Europeans, with the purpose of extending British influence over that large and valuable island. In three journeys he entered the country in as many different directions; proceeding inland from Manua, in the South, he reached the provinces occupied by a people called the Passummahs;—from Bencoolen he crossed the island to Palembang, and in the north he penetrated to

Menancabon, the celebrated pital of the Malay empire. result has been the discovery of a magnificent country, h cultivated, abounding in the cious metals, and thickly bited by a fine race of men, v friendship appears to have effectually conciliated. Sir Stamford Raffles was successful in forming treaties with many native princes, in virtue of v a new, and apparently rich has been opened to British e prise and British commerce.

CHAPTER XV.

NORTH AMERICA.

of the United States to admit Consuls from the Republics of America.—Negotiations with Spain respecting the Cession of Florida.—Decision of Congress on the Seminole War.—Negro-acy in Georgia.—Discussions on Slavery in Missouri.—of Slaves in the United States.—Commercial embarrass-Address of the President on returning to Washington.—in Emigrants.—Official Letter respecting them.

overnment of the United States has been occupied this year with several objects of deep interest, some of which connected with its foreign relations, others with its domestic concerns.

Soon after the return of the Commissioner sent from the United States in the year 1821, to examine and report upon the progress of the new republics of South America, application was made by General don Leno, Minister of Venezuela, to be recognised as a plenipotentiary from the United States.

On this demand was refused, on the authority of the President, on the ground, that the plenipotentiary had been appointed by a paper which was not within the United States, and that it was to be a commission to an officer for undertaking an expedition in violation of the laws of the United States, and also to approve of that act and insult to the government.

Mr. Deforest who had been recognised as plenipotentiary from Buenos Ayres, also met with a repulse, because the United States could not receive him in that capacity without an acknowledgment of the independence of the government of which Puerreydon was the supreme director. Subsequently, the President laid before Congress a report by the secretary of state concerning persons desiring to be accredited as consuls on behalf of the independent governments of South America, in which it was admitted, that consuls were received by the government of the United States from acknowledged sovereign powers with whom they had no treaty;—it was added however, on the authority of Vattel, that the appointment could not be carried fully into effect without recognising the authority of the sovereign from whom it proceeded. In these facts, the determination of the United States to stand neutral in the great contest between Spain and her colonies till success shall decide it, may clearly be discerned.

The negotiations with Spain respecting

respecting the cession of the Floridas met with numerous obstacles; Ferdinand VII was induced to refuse the ratification of the treaty already signed by his plenipotentiary, which it had been stipulated that he should give at latest in the month of August; but he at the same time declared his intention of sending to the United States a confidential minister to explain the causes of this delay. The light in which the conduct of the king of Spain was regarded in the cabinet of Washington, and the measures proposed in consequence, will best appear from the message of the president to congress, printed as well as the treaty itself amongst our State Papers.

The conduct of the war with the Seminole Indians by general Jackson, formed the subject of a long and able report from a select committee to the senate in congress [See State Papers] on which basis warm debates were carried on during a period of three weeks.

In conclusion the whole question involving very momentous constitutional points, was decided favorably to the general whose military zeal had been declared by the committee to have overstepped the boundaries of law, of justice, and of humanity. The strength and perseverance of the minorities strikingly displayed itself however in each successive stage of the business.

The question was taken on the resolution reported by the committee on military affairs, disapproving the proceedings in the trial and execution of Arbuthnot

and Ambrister, and decided the negative.

The amendment moved by Cobb to the resolution reported by the Committee of military affairs, having been modified then rejected.

The Committee rose and reported its decision.

A motion was made to postpone indefinitely the further consideration of the whole subject when,

After some discussion, the previous question was required and being taken, was decided the affirmative; which precluded any other than a direct question on the proposition before the House.

On the question, then, to concur in disagreeing to so much of the report as relates to the case of Arbuthnot, the vote was by yeas and nays—

For concurrence in disagreeing to it, 108—Against it, 62.

On the question to concur in disagreeing to so much of the report as relates to Ambrister,

For concurrence in disagreeing to it, 107—Against it, 63.

A motion was then made by Mr. Cobb, that the House come to the following resolution—

Resolved, that the late seizure of the Spanish posts at Pico de la Cruz and St. Carlos de Barajas in West Florida, by the arms of the United States, was contrary to the constitution of the United States.

A motion was made to postpone indefinitely the further consideration of the proposition, which was decided in the negative—

GENERAL HISTORY. [235

the postponement, 88; it, 87.

main question was then Mr. Cobb's motion, and in the negative—freeing to it, 70; Against

planters of Georgia had been disquieted by those ap-
mons of domestic trea-
which the justice of Pro-
appears to have insepa-
nnected with the exist-
domestic slavery; and
month of May their vigi-
l to the detection of a
le conspiracy. It ap-
that a plan had been
by the negroes of Au-
d the neighbouring plan-
o set fire to the city and
the inhabitants; after
ey designed to take pos-
f the shipping of Savan-
to attack the town, and
ly to transport themselves
la or St. Domingo. After
nt investigation of the
lot, several of the leaders
und guilty and put to
one of the number is
have been actively en-
n the insurrection and
e in St. Domingo during
1793.

litical question has come
re forcibly, or in a greater
of forms, to the bosom
citizen of America than
the continuance of negro
n their free and mighty

By the inhabitants of
hern, or eastern states,
ctice has long been re-
as the bane and oppro-
f their country; the im-
n of fresh slaves has al-
ecome illegal in nearly

the whole of them, and in many,
slavery itself has ceased to exist.
By the planters of the South and
West, on the contrary, the privi-
lege of cultivating the soil by the
labor of slaves is still defended
with all the pertinacity of avarice,
and justified on the detestable
plea of necessity. In Congress,
the opponents of slavery had
gained several victories; and
unable to procure its universal
and immediate abolition, they
had at least succeeded to a con-
siderable extent in settling limits
to its duration; and they had
hoped to put an effectual check
to its establishment in the newly-
settled states of the West. Dur-
ing the session of 1818, the state
of Missouri was rejected as a
member of the Union solely be-
cause its inhabitants opposed the
insertion of a clause to preclude
the further progress and conti-
nuance of slavery. On the other
hand, the inhabitants of Missouri
denied the right of the legisla-
ture to exercise any other con-
trol over the articles of a state-
constitution, than what should be
necessary to preserve its repub-
lican character. A meeting on
the subject was held in the
month of May 1819, at the re-
mote town of St. Louis, where
it was voted, amongst other re-
solutions, that a second attempt
on the part of Congress to oppose
their admission on such grounds
would be an attempt to expel the
territory of Missouri from the
federation of the States, and
would compel them to exercise
the right which is inherent in
every province, of forming a
constitution and state-govern-
ment for themselves. This im-
portant

236] ANNUAL REGISTER, 1819.

portant affair in which the interests of justice and humanity were threatened on one side, and the integrity of the North American union on the other, has subsequently engaged the most serious deliberation of Congress, but the result remains to be reported

in the history of the ensuing year. In the meantime, the following appalling statements respecting the magnitude of the evil of slavery in the United States, has been published in the country, from documents of questionable authority.

The whole number of slaves in all the States of the Union was, appears by the census of each of the following years,

In 1790	In 1800	In 1810
694,280	889,881	1,165,441
Increase in 10 years, from 1790 to 1800, 203,624		
Increase in 10 years, from 1800 to 1810, 251,875		
Increase in 20 years, from 1790 to 1810, 481,160		

The slave population from 1790 to 1800 increased 14-81 per centum; from 1800 to 1810, 35-84; and from 1790 to 1810, 70-75 per centum; and the ratio of increase, it will be observed, is augmented the first ten years being under $2\frac{1}{2}$ per centum, and the latter ten years upwards of $3\frac{1}{2}$ per centum per annum. The number of free persons in the United States, according to official returns, were, in

1790 ... 3,190,455	1800 ... 4,856,032	1810 ... 5,947,678
"and all other persons except Indians not taxed,"		
1790 ... 59,120	1800 ... 108,607	1810 ... 181,924

From these facts, principally extracted from "*Scybert's Statistics*" it appears that in the year 1810, when the last census was taken, nearly 1-6th part of the whole population were slaves! They were at that time divided among the states as follows, viz.

Rhode Island.....	108	North Carolina	168,
Connecticut	310	South Carolina	196,
New York	15,017	Georgia	105,
New Jersey	10,851	Kentucky	80,
Pennsylvania	795	Tennessee	44,
Delaware	4,177	Louisiana	34,
Maryland	111,502		
Virginia	392,518	Total	1,165,

New Hampshire, Massachusetts, Vermont, and Ohio, are already fortunately exempted from the presence of this great moral and political evil. Pennsylvania and New York will likewise soon take their station in the same rank, having made the re-

quisite legislative provision. The increase in number, since the year 1810, is probably 300,000 more. The commercial embarrassment and distress so prevalent in Europe, has reached America also; a sudden and ruinous fall in the value of every spe-

GENERAL HISTORY. [237

odity took place, in consequence of a general failure of the state banks almost out the Union were in difficulties, and the matter of several became the object of severe scrutiny; priors grew alarmingly frequent and an universal want of credit impeded and nearly destroyed commercial intercourse.

No very permanent obstacle to the prosperity of the country appears however to be connected from the result of the commercial crisis, however serious for the moment; and confident, on his return in 1800 to the city of Washington, after a long progress through the ceded territories commenced his administration, thus secured his general satisfaction. He had observed in an address to the Congress and citizens.

On returning to the seat of national government, after so long an absence, and so extensive a journey, I derive very great satisfaction, as you will readily perceive, from so kind a reception by my fellow-citizens and Congress.

The view which I took of the Union, as well as my former, as well as my present, through so great a variety of the Union, I have every thing which could give interest to one who takes a deep interest in the welfare and prosperity of his country, abundant in all the means necessary for public defence and national comfort; a people virtuous and intelligent, attached to their free institutions, and resolved to support them,

displaying on all occasions that manly and independent spirit, without which no institutions, however pure in their principles, can be long sustained; a people attached to each other, by the ties of consanguinity and a common interest—ties constantly gaining strength from causes that are daily developing themselves.

“While these powerful causes bind us so closely together, and we continue to exhibit such unequivocal proofs of it to the world, rendering justice, as we do, to every other nation, we may expect a like return from them, and shall not fail to obtain it.

“Although in these journeys my attention has been principally directed to the great objects of defence, yet to them it has not been exclusively confined. I have endeavoured to examine with care the dependence and connexion of the various parts of our union on each other, and have observed, with great satisfaction, the eminent advantages which they respectively derive from the intercourse existing between them.

“To the condition of the Indians I have always paid attention, and shall feel happy in giving effect, as far as I may be able, to the wise and salutary laws of Congress, calculated to promote their civilization and happiness.

“In the improvement of this metropolis the whole nation is interested. It is gratifying to me to find, that there is but one opinion on this subject. In providing the necessary public buildings, and promoting the growth and prosperity of this city, Congress

gress have heretofore displayed a liberal policy, in which, it may be presumed, they will persevere. To give effect to such a policy will afford me peculiar satisfaction."

It may here deserve mention, that since the general peace, large bodies of distressed peasantry from various countries of the European continent, had been impelled to cross the Atlantic in search of the means of subsistence which their native soil no longer afforded. Many of these unfortunate emigrants, ignorant in every respect of the state of the country which they had chosen as an asylum, and destitute of every resource against immediate disappointment, found themselves soon after their arrival, in a state of forlorn and helpless misery which excited at once commiseration for the immediate sufferers, and alarm for the fate of the thousands who were preparing to follow them. In this emergency M. Maurice de Furstenwaerter, by whom various benevolent efforts had been made to relieve the distresses of German emigrants to the United States, wisely judged it an act of patriotism to publish in Germany the following official communication received from the American government.—A document strikingly illustrative of the genius of a commonwealth.

"Washington, June 14, 1819.

"Sir,—I have had the honour of receiving your letter of the 22nd of April, with the enclosure of the Baron de Gagern, your relative, and a copy of your printed report: I hope, and indeed entertain no doubt, that the

latter may be of great utility to such of your countrymen as have formed erroneous ideas regard to emigration from Europe to this country.

It has been clearly shown to you, that you have accurately seized the idea in your report, that the government of the United States has never taken any steps to invite or encourage emigrants to come from any part of Europe to America. It has never had any inducements to draw to this country the subjects of a foreign state. Motives of humanity sometimes determined it to grant certain facilities to some emigrants who may have arrived with the intention of establishing themselves here, and with the need of particular assistance in executing their intention, rather than the government of the Union, nor the different States that compose it, despise the increase of strength and prosperity which the nation receive from a mass of new inhabitants, healthful, laborious, and temperate; nor are they indifferent to the great advantages which this country has derived, and is still deriving from the concourse of adopted children coming from Germany. There is one principle on which all the institutions of the public are founded, and which is a permanent objection to giving favours to new comers. It is not a country of privilege, but of an equality of rights. The Sovereigns of Europe grant certain classes of individuals certain privileges, which have the object of political utility; but it is the general opinion here

GENERAL HISTORY. [250]

ges granted to one class of
are necessarily an injury
e other.

nigrants from Germany,
any other country, have
arriving here any favour
ect from the governments;
case they should desire to
citizens of the state, they
utter themselves with en-
the same rights as the
of the country. If they

property, they may
upon finding the means of
ing it with moderation,
th certainty; if they are
ut laborious, honest, and
ow to be satisfied with a
hey will succeed in gain-
ugh to support themselves
ir families; they will pass
pendent, but a laborious
nful life, and if they can-
commodate themselves to
ral, political, and physical
this country, the Atlantic
will always be open to
o return to their native
es. They must bend their
ers to necessity, or they
uredly fail as Americans
heir schemes of fortune;
ust throw off, as it were,
uropean skin, never more
me it; they must direct
oughts rather forwards
their posterity, than be-
nem to their ancestors;
ust persuade themselves
atever may be their own
nts, those of their chil-
will assuredly approach
the habits of the coun-
d will catch something of
ghtiness, perhaps a little
ptuousness, which they
emselves remarked with
in the general character

LXI.

of this people, and perhaps still
more particularly in the indivi-
duals of German origin who are
born in this country.

“ This sentiment of superiority
over all other nations, which
never leaves them, and which has
been so very displeasing to fo-
reigners who have visited our
shores, proceeds from the opinion
entertained by each individual,
that in quality of a member of
society there is no person in this
country superior to him. Proud
of this feeling, he regards with
some haughtiness those nations
among whom the mass of the
people are regarded as subordi-
nate to certain privileged classes,
and where men are great or in-
significant by the hazard of their
birth. But from this it also hap-
pens, that no government in the
world has so little means of be-
stowing favour as that of the
United States. The governments
are the servants of the people,
and they are regarded as such by
the people, who create and de-
pose them.

“ They are elected to admi-
nister the public affairs for a
short space of time, and when
the people are not satisfied with
them, they cease to maintain
them in their functions. But if
the means of the government to
do good are limited, the means
of doing ill are limited also. De-
pendence here in the affairs of
government is precisely in the
inverse ratio of what takes place
in Europe. The people here do
not depend upon those that go-
vern them; but the latter, as
such, depend constantly upon the
good will of the people.

“ We know very well that of
[R] the

the quantity of foreigners who every year come to our country to fix their abode, none of them come from taste, or from any regard to a country to which they are totally strangers, and of which the Germans do not understand even the language. We know that they come here not for our advantage, but for their own; not to labour for our prosperity, but to ameliorate their own condition. Thus we expect to see very few individuals of Europe who enjoy in their own country ease, happiness, or even any gratification, come and settle in America. Those who are happy and contented remain at home, and it requires a principle of motion not less powerful than want to remove a man from his native country, and the place where the tombs of his ancestors are placed.

Of the small number of emigrants of fortune who endeavoured to settle in our country a considerable portion were dissatisfied with our singular customs, and after a certain residence returned home. There are certainly some exceptions; as in the most opulent and distinguished class of our fellow-citizens, we have the good fortune to count some individuals who would have acquired fortune and distinctions, even had they passed into a new country, as another portion of the world. We should feel great satisfaction in seeing yourself among this number, and that it would accord with your dispositions and sentiments. I have the honour to be, Sir, &c.

“ JOHN QUINCY ADAMS”

GENERAL HISTORY. [241

CHAPTER XVI.

SOUTH AMERICA.

*—Expedition of Morillo against Angustura defeated—Re-
New Granada—Victory of Boyaca—Flight of the Viceroy
tion of New Granada by the Army of Venezuela—Buenos
Operations in Chili.*

gress of that great
d operation, the suc-
ranchisement of the
ces of Spanish Ame-
the control of the
try, and their forma-
luster of separate but
blics, continues to
portion of the western
an object of profound
every people of the
ld.

imple scene, several
res of action are dis-
which it will be ex-
tly to indicate before
te detail is attempted
of the year.

of Angustura on the
co, has become the
e republic of Vene-
ich Simon Bolivar is
nt. It was against
exclusively that the
ere enabled to carry
operations during
e campaign of gene-
against the patriots
a, with the progress
r in the kingdom of
la, will form the most
ature of the ensuing
The United States of
la Plata, of which
res may be termed
ave experienced no

disturbance from the mother
country beyond the menace of
invasion by the mighty armament
which so long a series of impedi-
ments has still detained within
the harbour of Cadiz. Monte
Video, and the surrounding dis-
trict on the northern shore of the
Plata, are held by Artigas, an in-
dependent chieftain with whom
the authorities of Buenos Ayres
carry on by turns hostilities and
negotiations.

The republic of Chili united in
a strict alliance with Buenos
Ayres, besides securing its own
independence, has been enabled
to carry on offensive war against
Spain by sea; and it was with the
fleet of Chili that lord Cochrane
has attacked Callao, and placed
for some time the whole coast of
Peru in a state of blockade.
Macgregor, by whom Portobello
was surprised and plundered, is
said to be avowed by none of the
new republics, and can therefore
be regarded in no other light
than a free booter, and the same
may be said of the person styled
commodore Aury. We now re-
turn to the principal seat of war.

Venezuela.—Early in the spring,
general Morillo the Spanish com-
mander-in-chief, quitted his head
quarters in the city of Caraccas

at the head of about 10,000 men, and directing his course inland, entered upon a toilsome route of many hundreds of miles with the intention of reaching the banks of the Orinoco and dispossessing the independents of the city of Angostura their capital. In the mean while, Bolivar, who had received a very important accession of force, principally from the arrival of English troops, prepared for a campaign comprising a rather complicated system of action. An encampment was formed in the Island of Margareta of about 1,500 men, who were to remain there in readiness till circumstances should decide on what point of the coast a descent might be attempted with most effect in support of the operations carrying on in the interior: general Santander was dispatched to the westward to oppose the advance of a body of troops sent from New Granada to form a junction with Morillo; General Marino marched into the province of Barcelona to intercept the division of Morillo's army which was destined for an attempt upon Angostura; and Bolivar in person, attended by Paez, at the head of a light cavalry armed with lances, composed of the free people of colour and the inhabitants of the plains, called *Llaneros*, watched the motions of Morillo himself. On every point the efforts of the Venezuelans were crowned with success. Marino totally defeated the force opposed to him at a place called Cispero or Centaura, in the neighbourhood of Barcelona, and concentrating his forces advanced upon that important city. This

success decided the destiny of the troops at Margareta. The Spanish squadron of large vessels and eight frigates had been shut up by the Venezuelan fleet of 15 ships of war in the port of Cumana, which was placed in a state of blockade and in the mean time collected with 300 English and German auxiliaries under general English. Forming part of the expedition from Margareta, effected a landing at Barcelona, and on the 18th carried the fortress called the Moro, with the loss of 19 men. Three Spanish ships which came with troops in aid of the place were also captured, another division of general Bolivar's force from Margareta disembarked to the leeward of Cumana to form the siege of that place. Santander advancing to the plains of Casanare, fortified the western boundary of the province of Parinas, encountered a Spanish division of about 3,000 men, over whom he gained a splendid victory, cutting to pieces or making prisoners of the whole. Disappointed of this expected reinforcement, Morillo, notwithstanding some partial advantage with which he began the campaign, was gradually driven back by the incessant harassing of an enemy greatly superior to him in cavalry; and retreating northwards and westwards, received on July 26th, a defeat at a place called Columboso, a short distance from the mouth of the Orinoco of Maracaibo.

In the state of feebleness and destitution to which the army of Morillo had thus been reduced, Bolivar was enabled to avail

GENERAL HISTORY. [243

utmost of the victory der, by which an unob- course was opened into om of New Grenada; a already ripe for revolu- the inhabitants of received frequent depu- congratulating him on ies, and offering him f men and money. De- from the cautious and system which he had necessary to preserve ly part of the campaign, ent directed his march nas towards Santa Fe t, the distant capital of ada. His own bulle- est record his success.

TLE OF BOJACA.

Bulletin of the Liberating of New Granada.

ay, at day-light, our corps giving notice that y was in march by the amaca, the army was arms; and as soon as ascertained that he in- assing the bridge of order to open direct ation, and be in con- the capital, we marched gh-road to prevent him, him to give battle.

in the afternoon, the rst division reached the here he saw only our of cavalry. Not then ascertain our force, and those opposed to him hing more than a re- ing party, he attacked his Cazadores to clear whilst the main body fol- . Our divisions quick- ir march, and to the prise of the enemy, the

whole of our infantry showed themselves in a column on a height commanding his position. The enemy's van had ascended part of the road, following our advance, and the remainder of his army was below, about a quar- ter of a league from the bridge, and showed a force of 3,000 men.

Our battalion of Cazadores of the van sent out a company of skirmishers, and with the re- mainder in column attacked the enemy's Cazadores, and drove them back precipitately to a wall, from whence they were also dis- lodged; they then passed the bridge, and took up a position on the other side, and in the mean- while our infantry came down, and the cavalry marched along the road.

The enemy made a movement by his right, which was opposed by the rifles, and the British com- pany. The battalions, first of Barcelona and Paez's Bravos, with the squadron of the cavalry of the upper plain, marched by the centre. The battalion of the line of New Granada, and the Guides of the rear, joined the battalion of Cazadores and formed the left. The columns of Tunja and Socorro remained in reserve.

The action began at the same instant all along the line, general Anzoategui directed the opera- tions of the centre and right; he ordered a battalion to be attacked which the enemy had sent out as skirmishers in a glen, and forced it to retire on the main body, which, formed in column on a height with three pieces of ar- tillery in the centre and two corps of cavalry in the flanks, waited the attack.

Our

Our troops of the centre, disregarding the fire of some corps of the enemy posted on their left flank, attacked the main body. The enemy gave a dreadful fire, but our troops, with the most daring movements, executed with the strictest discipline, surrounded all the enemy's corps. The squadron of cavalry of the Upper-plain charged with its wonted valour, and from that moment all the efforts of the Spanish general were fruitless; he lost his position. The company of horse grenadiers (all Spaniards) was the first that cowardly left the field of battle. The infantry endeavoured to reform on another height, and was instantly destroyed. A corps of cavalry in reserve waited ours with the lances in rest, and was pierced through-and-through by our lancers; the whole Spanish army, in complete rout and closed in on all sides, after suffering dreadful carnage, threw down their arms and surrendered.

With an almost simultaneous movement, general Santander, who directed the operations of the left, and who had met with an inconsiderable resistance from the enemy's van, and to which he had only opposed his Cazadores, charged with some companies of the battalion of the line, and the Guides of the rear passed the bridge and completed the victory.

All the enemy's army remained in our hands. General Barreyro, commander-in-chief of the army of New Granada, is a prisoner, and was taken in the field of battle by a soldier of the first Rifles, Pedro Martinez: the second in command, colonel Xime-

nez, is also a prisoner; almost the commandants and major corps, a multitude of inferior officers, and more than 1000 men are likewise taken, and recovered all their arms, ammunition, artillery, horses, &c. &c. Had 50 men escaped, and among them some chiefs and officers of cavalry, who fled before the action was decided.

General Santander with his van, and the Guides of the rear pursued at the same time the fugitives to this place, and general Anzoategui, with the remainder of the army, remained all day in the field.

The advantages are incalculable which will ensue to the public from the glorious victory of yesterday.

Our troops never triumphed more decidedly, and have so completely engaged troops so well disciplined, and so well commanded.

Nothing can be compared to the intrepidity with which general Anzoategui at the head of two battalions, and a squadron of cavalry, attacked and overtook the enemy's main body, and to him the victory is in great measure due.

General Santander made his movements with vigour and success. The battalions (Patriotas Bravos) and the first of Bolívar, and the squadron of the Upper-plain, fought with astonishing valour. The columns of Tunja and Socorro joined the left on the battle being decided. In short, his excellency is highly satisfied with the behaviour of every chief, officer, and soldier of the liberating army on this memorable day.

GENERAL HISTORY. [245

loss consists in 13 killed and wounded; amongst the, lieutenant of cavalry, rez, and the Rev. Miguel chaplain of the van; and at the latter, major Joseph el de las Heras, captain on, and lieutenant Rivero. eral head-quarters, in Venta da, the 8th of August.

C. SOUBLETTE,
Chief of the Staff.

Bulletin of the Liberating Army.

tenant-col. Mugica, with rps of Guides and Dra- continued the pursuit of emy on the 8th, at day-

At 11, his excellency d with the squadron of rriba, and joined him at ita. On the 9th, all the y set out. On the 10th, arrival of his excellency ridge of Comun, he re- advice from the capital, e Viceroy, the Audience, e guard of honour, and giment of Cazadores of i, and all the civil and mi- officers, had abandoned it morning of the 9th, leav- a state of frightful anar- His excellency hastened ch; and on the same day, l the capital amidst the ations of an immense po- n, which knew not how to its joy—a population, after three years of the ruel oppression, beheld nexpectedly liberated, and ot help doubting its im- good fortune. The streets e public places were filled ople. All sought to see

his excellency the president, in order to convince themselves of the reality.

The Viceroy Samano has fled in the direction of Honda, and Calzado follows him on the south- ern side. All the cavalry and the corps of the rear-guard pur- sue him on all sides, and there is reason to hope that none will escape.

The Liberating Army has at- tained the object which it pur- posed on undertaking the cam- paign. After 75 days' march from Pueblo de Mantecal, in the province of Varinas, his excel- lency entered the capital of New Granada, having overcome greater labours and difficulties than were foreseen on undertaking this great operation, and having destroyed an army three times stronger than the invading one.

The precipitation with which the Viceroy and his satellites fled, on the first report of the battle of Bojaca, did not permit him to save any of the public property. In the Mint we found more than half a million of dol- lars in cash; and in all the other magazines and depôts sufficient completely to arm and equip a numerous army. It may be said, that the liberation of New Gra- nada has ensured infallibly that of all South America, and that the year 1819 will be the end of a war, which, with so much hor- ror to humanity, Spain has waged since 1810.

The General in Chief
of the Staff,

CARLOS SOUBLETTE.

Head Quarters at Santa Fe,
11th of August.

In an official despatch, dated
at

at Santa Fe, on the 14th of August, and addressed by the president Bolivar to the vice president of the Republic, he says, that "the people of New Granada, regardless of their own defenceless state, by attacking dispersed parties of the enemy, have actively co-operated in his absolute extermination, taking arms, and making a great number of prisoners." He adds, that "notwithstanding the general devastation which this kingdom has suffered, the Republic may reckon on a *million dollars in cash*, besides the large sum which the property of the fugitive oppressors and discontented will produce."

The rainy season caused a temporary interruption to military operations. Morillo entrenched himself for some time in Tinaquillo, the independents having taken possession of St. Fernandez de Apure and of Calaboza, immediately on his evacuation of those places. Marino with 2,000 men remained posted at Maturia in Cumana, ready to co-operate with 1,500 Irish troops of gen. Devereux's legion which Bermudez was organising in Margaritta. Paez prepared to march with 6,000 men against Morillo. Bolivar continued strengthening himself in New Granada; and such was the general spirit of animosity against the Spanish government, which had endeavoured to support its declining authority by acts of the most atrocious cruelty, that the people every where joined his standard. On the re-opening of the campaign, he is said to have found himself at the head of an army

of 8,000 men raised in New Granada, and to have sent a detachment against Santa Martha. The Spanish garrisons had been greatly weakened before the invasion of Bolivar by the aids which it had been found necessary to dispatch to Lima, and there is reason to believe that by the end of autumn, the whole of this extensive kingdom, or province, with the exception of Carthagena, was free. Meanwhile, a congress assembled at Angostura was occupied in examining the articles of a constitution, nearly resembling the English, which had been submitted to its scrutiny by Bolivar, and which appeared to meet with general approbation. Such was the prosperous state of the "United Republics of Venezuela and New Grenada," at the latter end of the year 1819.

Buenos Ayres.—The most full and authentic account of the present state of the provinces of the river de la Plata, which has reached Europe, is to be found in the report of the North American commissioner sent purposely to inquire into their situation which was laid before Congress, and afterwards printed; it is here subjoined.

"The country formerly known as the vice-royalty of Buenos Ayres, extending from the north-western sources of the river La Plata to the southern cape of America, and from the confines of Brazil and the ocean to the ridge of the Andes, may be considered that which is called "the United Provinces of South America.

"Under the royal government,
it

GENERAL HISTORY. [247

led into the Intenden-
provinces of Buenos
aguay, Cordova, Salta,
ata, Cochabamba, La
Puno. Subsequently
olution, in the year
her division was made,
the provinces of Cor-
a, and Buenos Ayres,
those of Cuyo or Men-
man, Corientes, Entre
the Banda Oriental.
s, it is believed, re-
ir former boundaries,
he exception of Para-
generally called "Up-

ridely-extended coun-
es almost every variety
and soil, and is capable
every variety of pro-
A large part of it, how-
cularly on the west side
La Plata, and south-
ls Cape Horn, is defi-
ood, even for fuel, and
that which is found is
rackish.

ough three centuries
ed by since the Spa-
le their first settlement
ntry, and some con-
towns and cities have
it, yet its general im-
and population have
is kept pace with them;
er provinces have been
irely abandoned to the
erds of cattle which
their plains, and require
artial care of a com-
few herdsmen; and the
s of Upper Peru have
ged more generally in
ss of mining than was
to improvement or
s. Certain small dis-
e peculiar advantages,

are said to be well cultivated, and
very productive; but agriculture
has, in general, been very much
neglected. It is, in a great de-
gree, confined to the vicinity of
towns and cities, and may be said
to limit its supplies to their de-
mands. This state of things, com-
bined with the regulations of the
former government, the influence
of climate, and the force of ex-
ample, has stamped the character
of indolence upon that class of
society usually considered as the
labouring class. The same causes
have not operated, at least with
the same force, upon the other
inhabitants of the country; hence
they are more industrious, and
more active; their manners are
social, friendly, and polite. In
native talents they are said to be
inferior to no people; and they
have given proofs that they are
capable of great and persevering
efforts; they are ardently attach-
ed to their country, and warmly
enlisted in the cause of its inde-
pendence.

"It is not necessary for me to
enter into a detail of the causes
which led to the revolution in
1810. The most immediate, per-
haps, are to be found in the inci-
dents connected with the two in-
vasions of the country by the
British, in the years 1805 and 1806,
and in the subsequent events in
Spain, as they had a direct ten-
dency to show to those people their
own strength, and the incapacity
of Spain to give them protection or
enforce obedience. The ground-
work was, however, laid in the
jealous and oppressive system
adopted at a more early period
by the kings of Spain, whose
policy it seemed to be to keep
within

within as narrow limits as circumstances would permit the intelligence, wealth, and population, of that part of America subject to their dominion, as the surest means of preserving an empire which they considered the great source of their wealth and power.

"The revolution having been auspiciously commenced in the city of Buenos Ayres, was warmly and zealously supported by the mass of the people descended from the Spaniards; but the native Spaniards, as well those domesticated in the country as those in the service of the king, were almost all opposed to it, particularly at the time, and under the circumstances, it took place. Dissensions were the immediate result, and their long-standing jealousy and distrust of each other have, by subsequent events, been heightened into deadly hostility, which time alone can wear away. These dissensions have been considered as one of the causes that produced those which subsequently took place among the patriots themselves, and which have been most serious obstacles to the progress of the revolution. Other obstacles, however, have been presented by the royal government in Peru, which has hitherto not only been able to sustain itself there, but has found means, by enlisting the native Peruvians in its service, to send at different times considerable armies into the upper provinces on the La Plata, where the war has been carried on from the commencement of the revolution to the present day, with various success; the great extent and peculiar character of the country,

and the want of resources, have prevented either party making a blow decisive of contest. When we came to the advantage in that quarter on the side of the Spaniards they were in possession of the provinces of Upper Peru, and had, to a certain degree, at first joined in the revolution, and of which are represented in Congress. Every where else they have been obliged to yield up the government and abandon the country, or submit to the ruling power. The peculiar situation of the province of Video, on the east side of the river La Plata, open to the sea and strongly fortified, enabled the Spanish naval and military forces, at an early period of the revolution, to make a stand; they were ultimately obliged to surrender it; not, however, until long protracted, and, perhaps, ill-directed efforts on the part of the assailants, had given rise to many jarring incidents between those that came from the opposite side of the rivers,—probably the effect, in part at least, of ancient jealousies, kept alive by the individual interest of different leaders; these have been followed by events calculated to produce a still greater alienation; and though several attempts have been made to bring about a reconciliation, they have hitherto been unsuccessful. The provinces of "Banda Oriental," and "Entre Rios," on the west side of the river, under the direction of general Artigas, are now at war with those on the western side, under the government of the Congress of Buenos Ayres.

GENERAL HISTORY. [249

ar has originated from on of causes, in which have, perhaps, some-plain of, and some-ame themselves for.

l Artigas and his fol-less a belief that it is on of the government

Ayres to put them oblige them to submit ingements as will de-

of the privileges of nent, to which they re a right. They say, at they are willing to

the people on the e of the river ; but not yas will subject them ey call the tyranny of

Buenos Ayres. On and, it is stated that ly a pretext ; that the of general Artigas and principal officers is to union on any terms, serve the power they ed, by giving an erro-ement to the people them. That it is l intended to place nces on a footing with

That the respectable their inhabitants are is fact, and anxious for it are prevented from pressing their senti-a fear of general Ar-power is uncontrolled ustice ; and hence the nd necessity of aiding sist it. Armies have been marched within year into these pro-t they were not joined er of the inhabitants, defeated with great

ur is evidently a source

†

of great injury and regret ; and, at the same time, of extraordinary irritation to both parties ; for, independently of other causes of recrimination, each accuses the other of having brought about that state of things which threatens to place a most important and valuable portion of their country in the hands of a foreign power, who has invaded it with a regular and well-appointed army, and is gradually taking possession of commanding points, from which it may be difficult for their united force hereafter to dislodge them.

That they will unite is, I think, to be calculated on, unless some event disastrous to the cause of the revolution itself takes place, for their mutual interest requires a union. But more of moderation and discretion may be necessary to bring it about than is at this time to be expected from the irritated feelings of some of the principal personages on both sides.

“ The city of Sante Fe, and a small district of country around it, also refuse to acknowledge the authority of the government of Buenos Ayres.

“ In Paraguay, the events of the revolution have differed from those in any other province, as the inhabitants of that country have uniformly resisted the efforts of the other provinces to unite them. After having aided the Spanish placed over them to repel a military force which had been sent to overthrow them, they themselves expelled from their country these authorities, and established a government of their own, totally unconnected with that of the other provinces, with whom they manifest an unwilling-

ness

ness to keep up even a commercial intercourse. This has given rise to a suspicion in the minds of some, that there is a secret predilection among them for the ancient order of things. But, from what is said of their cold and calculating character—from the safe position of their country, and its capacity to supply its own wants, it is probable that their object is to husband their resources, and profit by the exertions of others, without giving their own in aid of them; and possibly, in case of ultimate failure, to place their conduct in a less objectionable point of view before the government of Spain. Whatever may have been their motives, they have hitherto contrived to escape, in a great measure, the evils of war.

“ Their resources, in men and money, are said to be considerable, and no country is more independent of foreign supplies.

“ Their conduct furnishes a striking contrast to that of the people of Buenos Ayres, who entered into the revolution with unbounded zeal and energy, and have ever been ready to meet the difficulties of so great an undertaking. This circumstance, connected with their local situation, greater resources, and more general information, and perhaps the fact of their having been the first to get power into their hands, have had the effect to give them a controlling influence over the revolutionary government, which has not failed to excite, in some degree, the jealousy of the other provinces, and amongst themselves a feeling of superiority little calculated to allay their

jealousy. Great evils were at first apprehended from this state of things; but the congress met at Tucuman, in March, composed of deputies from several provinces then united, assumed the sovereign power of the country, boldly declared its absolute independence, and adopted a provisional form of government, which is understood to have the effect of allaying dissensions, and of introducing a more regular administration of public affairs.

“ It will be seen from the documents in your possession that this provisional constitution cognizes many of the principles of free government; but with drawbacks as are little calculated to enforce them in practice. Allowances are doubtless made for the circumstances of the times, and the danger and difficulty of tearing up ancient institutions, or of adapting new principles to them. But, after allowance for all these considerations, it did not appear that so much had been done for the cause of civil liberty as might have been expected, or that the people in power were its strongest advocates. It is generally admitted, however, that some changes for the better have been made. The care seems to be taken to educate the rising generation, and those who are now coming into the theatre of action have grown up since the commencement of the revolution, and have had the advantages of the light thrown by it, it is fair to suppose they will be better prepared to support and administer a free government, than those whose

GENERAL HISTORY. [251]

l under the colonial
of Spain.

commerce and manu-
the country have
and its agriculture.
uses, however, have
to lessen some bran-
manufactures, since the
but commerce is un-
have been increased
such greater variety
of foreign goods are
and a greater demand
the productions of

The city of Buenos
e seat of this com-
m it foreign and some
ds are spread through
as far as Chili and
; and, in return, the
uctions are drawn to
de is carried on prin-
d, as is that between
provinces; though
portion of it finds its
down the large rivers

La Plata, which is
much a river as a

The abundance of
s, and mules, and of
animals peculiar to
which are used in the
regions of Peru,
ities for transporta-
e found in any other
ttle improved: hence
transportation is very
internal trade greater
erwise would be;
ad been materially
ome important bran-
war with Peru, and
adopted in Para-

port and import trade
in the hands of the
gh the United States
ations participate in

it to a certain degree. It is de-
pended on as the great source of
revenue to the state; hence they
have been tempted to make the
duties very high, and to lay them
upon both imports and exports,
with the exception of lumber and
military stores. This circum-
stance, connected with the fact
that payment is demanded at the
custom-house before the goods
are delivered, has led to a regular
system of smuggling, which is
said to be carried to great excess,
and, doubtless, occasions the offi-
cial returns to fall short of the
actual amount of the trade. This
may be the reason why they were
not given to us. The articles
imported are almost every variety
of European and East India
goods, principally from England;
rum, sugar, coffee, tobacco, cot-
ton, and timber, from Brazil;
lumber of almost every descrip-
tion, cod fish, furniture, gin, and
some smaller articles, from the
United States, together with mi-
litary stores, which, however, find
their way into the country di-
rectly from Europe, and are thus
furnished at a cheaper rate than
we can sell them. The principal
articles of export are taken from
the various animals of the coun-
try, tame and wild, from the
ox to the chinehilla; copper from
Chili, and some of the precious
metals, drawn principally from
Peru; but, as gold is worth se-
venteen dollars the oz. and passed
by tale at that rate, very little of
it is exported; hence, the cur-
rency of the country is gold, for
they have no paper-money. The
"libranzas," or bills of credit,
issued by the government, are,
however, an article of traffic
among

among the merchants, as they are received in payment of one-half of the duties. No distinction is made in favour of the trade of any nation, save only that the British merchants have some peculiar facilities granted them in relation to their letters, which are an object of taxation, at least so far as applies to those sent out of the country.

In the official statements given to us, to which I beg leave generally to refer for information as to the foreign relations, the productions, military and naval force, revenue, and population, the latter is stated at 1,300,000, exclusive of Indians. This is understood as comprehending the population of all the provinces; but, as some of them are not under the government at Buenos Ayres, I have thought it proper to annex the several estimates I have collected of the population of each province, as they may serve to give some general information on that point. The most immediate difficulty felt by the government, whilst we were in the country, seemed to arise from the want of money; for, although the debt was small, their credit was low. It had not been found practicable to adopt a system of finance adequate to the exigencies of the times, though it would seem, from the statements given to us, that the revenue of the last year exceeded the expenses. The important events of the present year in Chili, of which you are informed, will doubtless have the effect to raise the credit of the country, and to lessen the pressure upon it, at least for a time, and will probably leave the go-

vernment more at leisure to attend to its internal affairs.

When we came away, it was understood that a committee of the Congress was engaged in drafting a new constitution, the power of forming and adopting being exclusively vested in the Congress. Whether it will assume a federal or a national character is somewhat doubtful; there are evidently two parties in the country, whose views in respect are very different, and it is believed that they are both presented in the Congress. One party is in favour of a consolidated or national government, the other wishes for a federal government, somewhat upon the principles of that of the United States.—The probability seems to be, that, although there might be a majority of the people in the provinces generally in favour of the federal system, it would not be adopted, upon the ground that it was not so well calculated for the common defence as the national government to provide for the great object now in view. For the same general reason may be urged, perhaps, for giving the latter, should it be adopted, the character of a republic; it probably would have been so to it in more quiet and peaceful times. There is danger, in the power of forming and adopting the constitution being placed in the hands of a few, that the rights and privileges of the people will not be so well understood or attended to as they would have been, had the people themselves had a more immediate agency in the affair. It is not to be denied, however, that it will at-

GENERAL HISTORY. [253

publican form, and be upon the principles of
nce, which is contend-
all descriptions of poli-
the country, who have
in the revolution, and
believed, be supported
n any event, to the last

means of defence, of
y are fully aware, are,
tion to their numbers,
perhaps, than those of
y other people, and
tion and the events
ar have strengthened
al determination never
to Spain. This deter-
rests upon the re-
s of former sufferings
ivations; upon a con-
of their ability to de-
to govern themselves;
a conviction that, in
bmission on any terms,
ld, sooner or later, be
ael the vengeance of the
ountry. These consi-
doubtless, have the
ht upon those who have

taken a leading part. They, of course, use all their influence to enforce them, and thus to keep up the spirit of the revolution. In this they probably have had the less difficulty, as, although the sufferings of the people have been great, particularly in military service, and in raising contributions necessary for that service, yet the incubus of Spanish power being thrown off, and with it that train of followers, who filled up almost every avenue to wealth and consequence, the higher classes have been awakened to a sense of advantages they did not before enjoy. They have seen their commerce freed from legal restraints, their articles of export become more valuable, their supplies furnished at a lower rate, and all the offices of government, or other employments, laid open to them as fair objects of competition. The lower classes have found their labour more in demand, and better paid for; and their importance in society greater than it formerly was."

254] ANNUAL REGISTER, 1819.

Estimate of the Population of the Province of Buenos Ayres, Cordova, Tucuman, Mendoza or Cuyo, and Salta, under the Names of the different Towns or Districts which send Representatives to the Congress.

*** By an imperfect census, taken, it is believed, in 1815, Buenos Ayres contained 93,105, excluding troops and transient persons, and Indians.

	By more recent Estimates, ex- cluding Indians.	Excluding Indians.	Including Indians.
Buenos Ayres.....	105,000	120,000	250,000
Cordova	75,000	75,000	100,000
Tucuman	45,000	45,000	20,000
Santiago del Estero	45,000	60,000	
Valle de Callamarea	36,000	40,000	
Rioja	20,000	20,000	
San Juan.....	34,000	34,000	
Mendoza	38,000	38,000	
San Luis	16,000	16,000	
Injuy	25,000	25,000	
Salta	50,000	50,000	
	489,000	523,000	

Provinces of Upper Peru.

Cochabamba	100,000	120,000	200,000
Potosi	112,000	112,000	250,000
Plata, or Choreaz	112,000	112,000	175,000
La Paz.....	—	—	800,000
Puno {	Under the name of Santa Cruz		
	de la.....	120,000	—
	Sierra	—	—
	Ouiro	—	—
Paraguay.....	—	—	—
Banda Oriental and Entre Rios	50,000	—	—

A few incidents of later occurrence remain to be noticed. Pueyrredon, the Supreme Director of Buenos Ayres, announced, early in the year, his intention of retiring from office; and in a speech to Congress of

February 25th he requested that it would proceed to the nomination of his successor, recommending only that their choice should fall on a military character, as the best calculated to guide them in safety through the

GENERAL HISTORY. [255

by which their infant
menaced. After an in-
hesitation, brigadier-
ondeau was elected,
d upon his functions
h. An armistice was
with Artigas, chief of
, and the Bandar
hich appears not to
since broken, though
was formed between
. A treaty with the
Chili was formed, the
which will be found
ur state-papers, and
f the states of Buenos
ta Fe, Entre Rios and
has been consolidated
ive league. The con-
sisting of 138 arti-
7 and concisely drawn,
ublished and received
of the people. The
re its most important

lative power is to be
y a national congress
of two houses, that of
tives and that of Se-
ie former is composed
s elected in the pro-
one for every district
25,000 inhabitants.
y must be upward of
years of age, must
seven years a citizen
his nomination, and
is 4,000 dollars of pro-
ome equivalent which
defined in the article.
entatives sit for four
a half of the chamber
every two years. The
Deputies originates all
, and has the special
eaching ministers and
fficers of state. The
consist of the same
I.

number of provincial senators as
there are provinces; of three mi-
litary senators, of one bishop, and
three ecclesiastics; of a repre-
sentative of each university, and
of the director whose period of
government is ended. The ap-
pointment of the senators is for
twelve years, and they must at
their nomination have attained
the age of thirty, having been
nine years a citizen. The legis-
lature is to sit for about six
months in the year: they have
freedom of speech, and other ne-
cessary privileges. They have
the power of citing the ministers
before them, to obtain any requi-
site information. Any of them
may originate laws. When the
projects of law have been agreed
to by both houses, they are to be
transmitted to the director for
his sanction, who must return
them in fifteen days, either with
his approbation or objections. If
he approves, the bill becomes a
law; if he states objections, these
objections are considered; but if
two-thirds of the members of
both Houses support the original
project, their votes constitute a
final sanction without a second
application to the director. The
supreme director is elected by
the two Houses assembled. He
is to be supreme chief of all the
land and sea forces. He is to
open the sittings of the Legisla-
ture; he appoints all the officers
of the public force, envoys, con-
suls, and others; he chooses and
dismisses his ministers, who are
responsible for their conduct
while employed under him; all
objects of finance, police, public,
national, and scientific establish-
ments, as well as all those formed

[S]

and

and supported by the funds of the state, are confided to his supreme charge and inspection. He has the power of pardon, except in cases of state conviction. The supreme judicial power of the state is to reside in a supreme court, consisting of seven judges and two recorders, nominated by the director; every one of whom must have been a regular barrister eight years, and have attained the fortieth year of his age. This court shall, exclusively, take cognizance of all causes relating to envoys and consuls from foreign nations, all causes in which a province may be a party, all those concerning public functionaries, all those relating to crimes committed against the law of nations, &c. The members exercise their functions during good behaviour. The supreme court, as well as the other tribunals, is open to the public.

Chili.—This newly established republic has completely succeeded in driving the Spanish forces from its territory. General Balcarce, commander of the army in the south of Chili, having possessed himself without resistance of the forts of Dos Angeles and Nacimiento on the Indian frontier, came in contact with colonel Sanchez, followed by about 480 men, the remains of an armament sent from Cadiz. The colonel was on his retreat to Valdivia, but the Araucan Indians had refused to allow him to pass. He had lost all his baggage, and was also encumbered with a helpless train of women, including a convent of nuns with their confessor at their head. Under these circumstances, he was apparently

left without other resource than that of accepting the honours of capitulation offered by the Independent general. Last forlorn relics of a Spanish force in Chili.

Lord Cochrane, vice-admiral of the republic, sailed from Valparaiso in the month of June with four of his largest vessels, with the intention of attacking two Spanish frigates in the bay of Callao. In this attempt he was unsuccessful, but was able to give formidable interruption during several months to the trade of the coast of Peru, and occasionally to make captures of considerable value. In the month of July lord Cochrane departed from the port of Callao, and in the whole Peruvian coast, in the hope of blockade, but his attempt upon this important port proved ineffectual; and it is probably attributable to this that the Spaniards still hold in subjection, notwithstanding their revolutionary propensity seems to have manifested in this, as in the surrounding countries.

General Macgregor, with a trifling force, carried in a few hours the town of Portobello notwithstanding the small numbers of the garrison; booty and a large supply of military stores fell into his hands, and he addressed on the occasion the following boastful proclamation to his army:

“SOLDIERS!—The ancient New Granada has covered with glory. Porto Bello, the most famous fortress of America, could only with a few hours the valour of our

GENERAL HISTORY. [257]

a brigade, under the gallant general Rafter, overcame all obstacles and difficulties, which only men animated by enthusiasm could have done. The advance, led by captain Ross, attacked with such intrepidity, that the Spaniards fled with fear and astonishment to their walls.

Next day, under commodore Hume, in covering the landing, the diversion he made in attacking the Spanish forts in the rear, did every thing that rapidity gave me a right to expect from them. The capture of the transports bringing of every praise for the exertions they made in land-operations.

Glory!—Our first conquest glorious; it has opened the way to fortune and additional conquest. Panama invites our approach, and the South Sea shall behold upon her shore the triumphs of the isthmus.

“GREGOR M'GREGOR. Quarters, Porto Bello, April 10.”

In the midst of these anticipations of glory and plunder, and on the eve of his departure for the north, M'Gregor was surprised by a Spanish officer, Hone, the Spanish commander at Panama, who had unperceived by a circuitous route through the thick woods which flank the town. The place which Macgregor had taken for his quarters was entered, and he had received the slightest notice of the approach of the enemy, and he saved his life by jumping out of a window and afterwards swimming on board his

ship. His troops, notwithstanding the desertion of their leader, made a gallant resistance and obtained honourable terms of capitulation; but the place was recovered by the Spaniards and was a salutary check given to the audacity of these lawless adventurers. Macgregor, with the wreck of his troops, repaired to Aux Cayes, where he remained for some months inactive, awaiting the arrival of British succours. Being at length in circumstances for a new attempt, he sailed from Aux Cayes with about 200 men, said to be the remnant of more than 1,200 British soldiers, who had perished through hunger and disease, and bent his course towards Rio de la Hache, a town of new Grenada to the west of the gulph of Maracaibo. This place was carried by assault, with the loss however of one third of the English troops; it was recaptured after a few days with the slaughter of nearly the whole of the survivors. Macgregor himself is stated to have remained safely on board his ship till the first action was over, and to have returned to it before the commencement of the second. He was afterwards deserted by his surviving officers, and his disgraceful career is probably terminated for ever.

The Independents have for some time past possessed so decided a preponderance of maritime force on both shores of the Isthmus of Darien, that the Spaniards in these parts are compelled to endure without redress the outrages of the swarm of pirates who now infest the seas. Commodore Aury, one of the most

most formidable of the class, obtained, early in the summer, the complete command of the Gulf of Dulse, where he carried on a shocking system of pillage. Amongst other places, he made himself master of the forts of St. Philip and Isabel which he quitted at the end of two days, having in that short space of time collected, and without the loss of a

man, 1,500 acres of indigo 300,000 dollars in specie. exploits of an Aury or a gregor, though utterly insignificant to the final decision of the great question of South American independence, may yet be permitted to claim a place in contemporary history as committed to a state of turbulent revolution, and civil war.

CHRONICLE.

JANUARY.

Marlborough-street.

M. M'GLASHAN, a dancing-master, in Riding-lane, was charged by Mr. es, a corn-chandler, near oy-square, with robbing him the following circumstances:—The prisoner had been ged to attend in his personal capacity. It happened Mr. Davies was frequently home; and the prisoner, ng himself of the opportunity, took the children into the ting-house, and, under pre- of showing them slight of tricks, contrived to send into different parts of the e. In their absence, he ed the till and desk, and d himself to its contents. Davies said, he had missed y to a considerable amount, was at a loss to account for heft: at length, suspicion ed to the prisoner; and, on ng a search-warrant and eding to his lodgings, he l a bunch of keys, on which a key particularly marked, Mr. Davies identified as g to the desk in his count-ouse. Upon the prisoner found duplicates of a time-pledged at Mr. Grover's, L. LXI.

in Greek-street; and a diamond, pledged at a pawnbroker's in the Strand. His servant also found the key of the till concealed under the carpet.

14. *Guildhall.*—A lamentable instance of the effects of infatuation and religious enthusiasm was exhibited at this office yesterday. Samuel Sibley and Maria Catherine Sibley his wife, Samuel Jones and his son, a boy of ten years old, Thomas Jones, John Angel, Thomas Smith, James Dodd, and Edward Slater, a boy of 12 years of age, were brought up from the Compter, by Beaton and Gibbon, officers of Cordwainers' Ward, who had with great difficulty, and at the hazard of their own lives, rescued the prisoners from the fury of an immense mob, in Budge-row, Cannon-street, about ten o'clock yesterday morning.

These deluded people were, it appeared, disciples of the lately famous Joanna Southcott, of whom our readers heard so much two or three years ago, and conceived themselves directed by God to proclaim the coming of the Shiloh on earth: for this purpose they assembled at the west end of the town, in order to enter the only gate of the great city (Temple-bar), through which they marched in procession about nine

B

o'clock

o'clock in the morning; they were each decorated with a white cockade, and wore a small star of yellow riband on their left breasts; Sibley led the procession, bearing a brazen trumpet adorned with light blue ribands, and the boys carried each a small flag of blue silk. In this manner they proceeded through Fleet-street, up Ludgate-hill, and along St. Paul's Church-yard, to Budge-row, a great crowd following them, increasing continually as they proceeded. Having arrived, as they supposed, in the middle of the great city, they halted, and began to perform their ceremonies. Sibley sounded the trumpet, and proclaimed the second coming of the Shiloh, the Prince of Peace, on earth; and his wife cried out aloud, "Wo! wo! to the inhabitants of the earth, because of the coming of the Shiloh." This cry was repeated several times, and joined in with a loud voice by the others in company. The crowd was by this time immense, every avenue was stopped up, and the passage of carts and carriages rendered impossible. The mob began with laughing and shouting at these miserably deluded people, and at length proceeded to pelting them with mud and every sort of missile they could procure; they, on their part, being most of them stout young men, resisted; the fight became general and tremendous, the flags were torn down, and Sibley and his associates with great difficulty preserved, by the exertions of the officers, from falling victims to the infuriated rage of the mob, and conveyed to the Compter.

Their appearance, when p the bar, bespoke the dangers had gone through; the men all been rolled in the mud Sibley bore evident marks of lence in his face.

On being called upon by magistrate, Mr. Alderman Es, to give an account of conduct, in thus disturbing public peace, Sibley, with a of authority, directed the c to be silent, and, addressing Alderman, said, he regretted there was not time for him to enter into the particulars of mission of God to him. He had been commanded by a voice through the boy Slater, to announce that the Prince of Peace was come upon earth. He had been commanded to proclaim the second coming of Shiloh, in the same manner, and with the same authority, as John the Baptist proclaimed his first coming. In his proclamation he was to come three times in the midst of the great city, by the sound of the trumpet. He and his companions were obeying the command of God, and in so doing had not ducted themselves peaceably; they interfered with no one, when they were attacked by the mob.

He was proceeding to explain the nature of the visions which the boy had been favoured with, and his wife was raising her voice to bear testimony to the fulfilment of the Shiloh being on earth, when she said she had had in her vision four times, when the magistrates interrupted them, and observed that it was evident, if they were not insane, that they were under a strong delusion, and pointed out to them how

they would have been em- in pursuing their regular ons, than in being the of public riot, and endan- their own persons, recom- g them to desist from any ons of their gross absurd delusions.

men in reply said, it was ey should obey God; but ould do whatever the ma- : directed, and desist from ther proclamation, assur- n at the same time that eless the Shiloh was come.

Alderman said he would y on their promise, and detain them all in custody 7 could procure him some assurance than their own for their peaceable de- ir in future. They were ngly conveyed back to the r in two coaches to pro- m from the mob; one of en on stepping into the unbuttoned his coat, dis- his yellow star; and plac- hand on it, proclaimed hat it was God's colour.

male prisoners are jour- mechanics, and appeared mple, deluded, but peace- m. Sibley, the leader, is human in Coleman-street

Monday last an inquisition d at Snape, Suffolk, before food, jun. gent., Coroner Liberty of St. Etheldred, r of the body of Elizabeth m, aged about 18. It ap- in evidence, that she had l a sound mind and per- derstanding up to seven

on Sunday morning, which time her mistress, room (wife of a large and

respectable farmer in that parish), reprimanded her slightly for some trifling misconduct: in about half an hour afterwards she was found hanging by a cotton handkerchief to the curtain-rod of her mistress's bed, quite lifeless. The jury, after an investigation of the circumstances for four hours, felt themselves under the painful necessity of returning a verdict of *Felo de se*; in consequence of which the body was, about seven o'clock the same evening, committed to the earth of a cross-way in the parish, in the presence of numerous spectators, who behaved with great decorum during the awful ceremony.

15. *Extract of a Letter from St. Ann's, Jamaica, Nov. 14, 1818.*—"We have had terrible weather; last night we had the severest hurricane I ever experienced: it must have done immense damage. Several buildings are blown down, amongst the rest my kitchen; this is the first time I have known a building blown down here. Several cocoanut trees, the toughest wood known, being composed entirely of elastic fibres, are snapped in two. Sleep during the violence of the tempest was out of the question. I was in a low house, well sheltered, notwithstanding which it tottered at intervals, as if occasioned by an earthquake. Many left their houses for security; others, frightened from their beds, just sheltered within their doors, starting out when the tremendous gusts threatened their destruction. We had heavy gales from the N.E. and E. for three days before, which had raised a tremendous sea, which came pouring

pouring into the harbour: it had subsided previous to the hurricane, which blew from the South.

16. *Vienna*.—It was last Wednesday evening that an express from Count Trantmandorff, the Austrian minister at Stutgard, brought the afflicting news of the death of the Queen of Wurtemberg to the Prince Metternich, who immediately waited on their Majesties with the mournful intelligence. It has excited universal regret, as the greater part of our nobility had an opportunity, during the visits of this excellent Princess, in 1814 and 1815, to become acquainted with her extraordinary endowments.

19. *Madrid*.—The bands of malcontents begin to show themselves in old Castile. One of these bands, consisting of 200 men, has posted itself between Burgos and Valladolid, and has committed disorders in the cloth-manufactory of Escaray.

Lately, one of the bands that infest the Sierra Morena, composed of about 50 persons, the greatest part mounted on mules, penetrated as far as Mentiel, a place become celebrated by the adventures of the hero of Cervantes, the famous Don Quixote. In this troop there was remarked a Franciscan, who had doffed the frock to follow this honourable profession: this good father had still his gray cloak, shortened indeed for the purpose of allowing him greater facility in mounting his mule. These honest people limited their demands to some fanegas of grain, and leathern bottles of wine, with which they regained their haunts.

ST. LOUIS (*Senegal*) Jan. 19.

(*Extract of a Private Letter addressed to a Merchant at Caen.*)

—A great number of ships have arrived here from Europe, and several others are expected, exclusive of those forming the expedition. The colony is incumbered with merchandise, and nothing is selling.

The arrival of the expedition is anxiously looked for, to see what course things will take. It is hoped that the projects of government will open fresh resources to trade. Some millions of pounds of cotton have been shipped for exportation. It is very fine, and from its amelioration by the care of its cultivation, it perhaps cannot be excelled. It is worth 45 sols a pound, when shredded; but this new branch of industry wants encouragement; and I do not perceive that any thing has been done to promote this. We find here cotton of a nankeen colour, which grows, like the other, without cultivation, and which may be advantageously used in our manufactures.

Our Galam expedition has not been attended with all the success which we anticipated. It left this on the 17th of August, 1818, to the number of nine vessels, under convoy of three Royal brigs of war; they were three months in proceeding up the river, about 300 leagues. The navigation is dangerous, because it must be attempted during the hottest and worst part of the season. This flotilla, with the exception of the Argus Royal brig, and a merchant-vessel, destined

timed to pass the year at Galam, returned about the middle of December. They effected nothing, except bringing away some grain. The most grievous part is, that all the Europeans to the number of 30, were taken sick, and 15 of them died. Fears are entertained for those who remain. An express just received announces the death of the Governor, M. Chatellux, geographical engineer.

The English expedition under Major Grey, which set off last year from Gambia to explore the Niger, has been detained at Galam by the rains which prevail during the months of August, September, and October, and also by other unforeseen obstacles. However this may be, it is now united to ours, which is not established at the ancient fort St. Joseph, but at a few leagues below the river Faleme.

Major Grey dispatched Adrian Partarieux, a mulatto of St. Louis, attached to his suite, to bring him a supply of men and effects from Gambia; they will join him by land; the journey is 21 days. An English officer has arrived with an escort of blacks at Sego, where Major Grey is desirous of constructing a galliot, with which he purposes to ascertain the course of the Niger.

Guernsey, Jan. 23.—Wednesday night last, about eight o'clock, we experienced one of the most violent storms that ever happened here, in the memory of the oldest person; the lightning fell on the pinnacle of St. Martin's church, and damaged it greatly; the weathercock, and the large stone on which it was fixed, were beaten down; it penetrated into

the belfrey, following a wire that was fixed to a small bell, which conducted it to the pulpit; almost all the pews were damaged, the seats in the galleries torn up, as well as the stairs, and the plaster torn off the walls in several places: the pillar where the ten commandments were placed, as also several of the pillars which supported the arches of this edifice, have cracks in them more or less large; in short, there is scarcely a part of the church which has not felt the effects of the storm; all the windows have been broken; the entire of the east window, wood-work and all, was driven into the church-yard. Several persons who were on the roads at the time were thrown down on the ground, and the windows of a house opposite to the church were nearly all broken.

Leipsic, Jan. 23.—The new year's fair has turned out very ill, and though some business was done towards the conclusion, it was not sufficient to have much influence. Money is scarce; and many limit their expenses more than is advantageous; others must limit them in order to struggle through life with misery and want. The badness of the fair was chiefly caused by the new Prussian tariff of customs, and the consequent regulations which were put in force exactly during the fair, and may be said to be-leaguer Leipsic on three sides. Every thing may, indeed, be imported into Prussia; but the duties on importation and consumption are so high, that every body hesitates to import any thing. The market people who bring provisions to the city take no goods back with
|| them.

them. Many persons think that, by degrees, things will be so managed, that many of the disadvantages will be avoided: but others are of opinion that the system of high duties will be modified or even abolished, because it will not produce to Prussia the revenue it expects, and is besides as inconsistent with a confederation of states as with the act of the confederation. The Russian and Polish merchants thought of conveying their goods through Bohemia, but first applied at Berlin, and another regulation was immediately made with respect to Russia and Poland.

Greenock, Jan. 25.—Arrived on Saturday last, the Highlander, Donald, from Charleston, in 32 days; experienced continued gales of wind during the passage. On the 8th inst., in lat. 39.48. N. long. 39.4. W. spoke the Mondera, 7 days from Philadelphia. On the 14th, in lat. 45.32 N. long. 26.4. W. at 7 A.M. saw a sail apparently in distress; bore down, and found her to be the Triton, Hogarth, of North Shields, from St. John's, N. B. She had sprung a leak on the 14th ult., and on the 5th inst. became completely water-logged; same night carried away her foremast, bowsprit, and main top-mast, boats, and every thing on deck, and stove in her counter. At nine A. M. Capt. Donald lowered down his boat (a heavy sea running) and took Capt. Hogarth, eight men, and four boys, off the wreck, reduced almost to skeletons, having been ten days without either meat or drink. James Gould and Andrew Graham died the day previous to the rest being picked up, from fatigue, cold, and hunger. At

11, spoke the brig Mexico New Orleans, 33 days off bound for Havre-de-Grace a boat on board her with the stoutest of the Triton all in a fair way of recovery.

FEBRUARY.

1. Monday week before day appointed to appeal the supplementary charter windows in Bath, the commissioners of that city unanimously decided against the extra declaring all Venetian windows made previously to the year chargeable only as one window and Venetian windows made subsequently to that period chargeable as two windows only appellants, to the number upwards of 700, are, by this session, relieved; subject, however, to a case for the opinion of the judges.

Portsmouth.—An experiment has been tried in this dock to ascertain if a grass, the common produce of New Zealand and which may be cut down three times a year, is applicable making large and small rope; a favourable report, we understand, is made of it. The article is strong and pliable, and valuable in its nature. It can be brought into this country at less than 10s. per ton; one-seventh of the cost of hemp.

The quantity of fish cured this season at New England does not amount to more than two-thirds of an usual supply; which circumstance has caused a great demand for cured fish of this country. Mouth herrings have obtained

preference in this demand, the care taken in packing ; they are found to reach the West India islands in a state than the Scotch igs, which being roed, and luscious, do not keep so L. The French boats have ased large quantities at mouth, at a higher price the curers of that town can to give ; but as they are lowed to salt them after the February, the whole which re subsequently caught will into the market.

idon, Feb. 1.—The solemn magnificent requiem of Mo- has seldom produced so an impression as at the sh chapel on Saturday ng, associated as it was the sacred offices of reli- and the funeral obsequies e young queen of Spain. chapel was hung in black, ie coffin placed in the cen- ith the crown over it, and ms of Spain and Portugal h side. The Catholic Bi- Dr. Poynter, officiated. The ice of the Duke of San , Duke of Wellington, the , Portuguese, Dutch, and litan ambassadors, accom- by their secretaries, the h officers, all in their state s, and the Spaniards re- in this capital, dressed in mourning, added to the ur and solemnity of the

Died lately, at Notter, near ake, lieutenant-col. O'Dog- of the Royal Marines, one most eccentric characters gland, who for more than rs occasionally visited Ply- market on an old white

horse, lean as Rosinante, whose lank appearance, combined with his own singular habiliments, formed together a spectacle of wretchedness fully equal to any thing described of the celebrated Elwes. In his last visit to Ply- mouth, a few weeks since, he seated himself on the steps of the Plymouth Telegraph office to eat an apple. His dress then consisted of a dirty night-cap round his head, surmounted by the poll of an old hat without a brim, a rough waistcoat patched all over, greasy leather smallclothes, kept up by listing braces outside the waistcoat, with wads of straw round the bottoms of his legs. In his hand he wielded a large hedge-stick. Amidst all this seeming penury, he possessed some very excellent freehold estates in the above parish, well stocked ; yet he chose to quit the family mansion, and lived in a small cottage in its vicinity, with- out a pane of glass in the win- dows. He nightly entered it by a ladder, which he drew after him, and slept in a corner of one of the rooms upon a wretched pallet.

The brig Ann, of Jersey, from Whitehaven for St. Michael's, has been brought into St. Ives, in distress. She had been out 22 days, and was driven 600 miles to the westward of her course, and had carried away her fore- mast and main-topmast. She was prevented from going on shore to the westward of St. Ives, by the intrepidity of the pilots, who ven- tured to her assistance in a tre- mendous sea, and thus saved not only the vessel and cargo, but, in all probability, the lives of the crew ; as, had the vessel grounded, there

there was scarcely a possibility of their being preserved.

Paris, Feb. 2.—The commissioners sent from Spain, to charter transports for the expedition which is said to be preparing at Cadiz, had made a contract to that effect with a mercantile house at Bourdeaux. As soon as this was known among the merchants there, it was severely reprobated, and the Chamber of Commerce made a formal representation against the measure. The head of the house which had made the contract travelled post to Paris, to counteract the representation of the Chamber of Commerce: but the president of the Council of Ministers had been informed beforehand, and on the same day laid the affair before the council; they unanimously resolved not to permit contracts of this sort. The merchant from Bourdeaux had then the prudence to desist from his pretensions. What, however, is more singular, is what came out subsequently, namely, that the court of Madrid, for the purpose of paying the one-third of the freight, which was to be paid down in cash, had ordered its consul at Paris to realize the liquidated claims of Spanish subjects, and to pay over the proceeds to the commissioners for chartering transports. It was further discovered, that the consul had already sold on 'Change from 70 to 90,000 francs of rentes. This produced much irritation, and the French government has taken measures to put a stop to these scandalous proceedings, until proper explanations are received from the cabinet of Ma-

drid. A great part of the Spanish claims had been bought by Frenchmen, on the faith of treaties. Almost at the same moment when the Spanish government itself permits these acts of immorality, it opens for 3,000,000 of dollars in London, and thereby betrays the policy with which it sets up companies and juntas of merchants at Cadiz, for the special purpose of entering into contracts without their responsibility, for procuring transports and other articles.

2. A letter in *Glasgow*, the 22nd ult., at Bangor, Ireland, from an officer on board the *Seaforth*, belonging to Lord Gladstone, of Liverpool, which sailed from thence the 2nd ult., states, that during the late storm encountered extreme danger, and a very considerable damage was driven successively in the islands of Colonsay, and latterly into Bangor. The tempest that prevailed exceeding anything that the oldest seaman on board had ever witnessed, melancholy to relate, that the tempest two vessels were served to go down within a quarter of a mile of the *Seaforth*, the names of which could not be learned, as the crews were perished.

It blew heavy gales of wind at Plymouth on Saturday and Sunday. On Sunday night the wind increased almost to a hurricane, and continued to blow with tremendous violence throughout the whole of Monday. Although it was difficult, from the fury of the tempest, to approach the coast, many persons vent-

commanding a view of the water, in order to observe the sublime spectacle of the erection throwing off the ch the Atlantic was dashed against it. The foam was rising at least 80 feet above the water.—On this day the loop of war was seen in under bare poles, and just within the Break—the owed her safety to its protection. The is interesting almost beyond description. Several of the which ventured out in the on Monday, were upset, and the persons on board picked up, so that none were lost.

A Report of colonel Ste-surveyor-general of the Works, as to the practicability of superseding the practising-boys by the use of machinery, is on the whole favourable to the use of machines, the result of the experiments, that the three Royal Engineers concur in opinion, that the boys cannot be at all dispensed with. Comphenson directed an instructor, Mr. Davis, to conduct experiments, in order to ascertain the truth. Mr. Davis states that the flues of the machinery may be divided into four

For the first class, the now in use are quite good; for part of the second they are also competent; the remainder of this class and brush are perfectly

In the third class, the ascent is at all practicable the ball and brush act effectively, as they do even in the

fourth class, where there are no parts entirely level. The proportions of the different classes he found to be as under:—Out of 1,000 flues, 910 are of the first class, 50 of the second, 30 of the third, and 10 of the fourth.

Advices have been received from Ceylon, by the way of Madras, communicating the intelligence of the capture of the Malabar chief, pretender to the crown of Candy, who is supposed to have been the chief cause of the insurrection which has so long prevailed in that island. Together with him was made prisoner, his prime minister, Kappitipola.

6. Intelligence from Constantinople, dated the 24th December, states, that the chief of the Wechabites, Abdallah, and his Iman, were brought prisoners into that capital on the 16th of the same month. After being led in chains through the principal streets, they were taken to prison and put to the torture. On the following morning, they were brought before the sultan, and beheaded. Their naked bodies were exposed during three days, and then delivered to the populace.

8. In the *Moniteur* of the 3rd, there is a report addressed to the King, by M. de Cazes, as Minister of the Interior, having for its object the general improvement of agriculture throughout France. To this report is subjoined a royal ordinance, giving effect to the measures recommended in it. A council of agriculture is to be established, under the superintendence of the Minister of the Interior, consisting of ten members. With this council a corresponding

ponding member for each department is to communicate, upon all subjects connected with agricultural improvement. The names of the persons composing the council are also given in the *Moniteur*. Among them are the duke de la Rochefoucault, count Chaptal, and baron Ramond.

8. *Irun*.—The report in circulation that the king had appointed a successor to general Elio in the government of Valencia, is not confirmed. The number of persons arrested and detained in the prisons of Valencia is considerable, and the most perfect calm reigns in that city; but those who know the character of the Valencians place no reliance on this deceitful tranquillity. The people of that province are both the most irascible, and the most capable of dissembling their rage, in the whole monarchy.

The sea, from Cape Ortegal to Santa Maria, near Cadiz, is covered with Insurgent cruisers, who occasion incalculable mischief to our commerce.

11. Accounts from Marinpol, in the government of Catharinaslaw, of the 17th December, say, that "the Chevalier Joubert, who has been sent by the French government to Cachemire, to conduct from that country to France a number of the Cachemire goats, of whose wool the valuable shawls are made, has arrived at Marinpol on his return. The flock of goats that he has brought with him amounts to 1,300. They were almost all of them white. When they were drawn through Marinpol, the cold was at 15 degrees of Reaumur, and the snow half an arsheen deep, and this

temperature of the air agree with them. They be drawn from Marinpol dosia, and there embu France."

The subjects for 1819 given by the representation of parliament for the university of Cambridge for the present year, are, for the Senior Bachelors, "Quænam fuerit Or vera indoles ac natura?"—The subject for the Seatonian prize poem for the present year is, "Moses the Tables of the Law."

19. *Sierra Leone*, D. Sir George Collier has a the coast, in his Majesty's Tartar; and it is hoped to prove successful, not clearing those seas from the rous pirates which have the whole line of coast from to Bonna, during the years, but that we shall more of the slave trade during the same period, carried on with such success, facility, by the Spaniards and Portuguese, for a man of war.

Since February, 1818, of war has appeared at the settlements on the Gold the last arrival of any of his Majesty's ship. So commodore sir James Yess whose return the slave-ships anchored, and carried abominable trade within the British forts, to the of six, seven, and eight a time, with impunity.

Our gold trade has

CHRONICLE.

[11

ch of late on the coast, sequence of a protracted between the Ashantees natives of Buntucco. It these two principal states derive most of our gold, tee nation acting more mediate agents than prin- such barterers.

nment having considered e of Ashantee of sufficient ice to induce them to a consul to that coun- hoped that he will have luence in bringing them of accommodation, and ; their minds to the less ry employment of com-

fail; from Jamaica, to the December, contain long of the losses of the late e in November.

race the duke of Man- has issued a proclamation pening of the ports of Ja- vessels of all nations, for e of three calendar months, mportation of flour, rice, g to the destruction done ate hurricanes. Private rom Bermuda state that ill to remain in a dread- dy state ; the fever conti- rage with great fury ; the ere more than had been or many years. At the e last advices (the 28th mber) the weather had cooler, and it was ex- would have an effect of ing the disorder.

nts had been received ca from the Spanish Main, that a severe engagement en place, in which the it army had met with con- e loss. On the 24th of

November, there were 92 mer- chant vessels, consisting of Eng- lish, French, Dutch, and Ameri- cans, in the harbour of Angua- tura, and seven more were met in the river Oronoko, destined for the same place.

A volcano had been discovered on Prince George's estate, in the neighbourhood of the Indian River, in the parish of St. John : it was represented as the greatest curiosity of nature : its height from the base to the top was six feet ; circumference of the base, 49 feet ; ditto, to the top, 9 feet 5 inches ; ditto, at the opening, 2 feet 2 inches.

Great distress prevailed at Nas- sau, on account of the destruction by the late dreadful fire.

Some severe gales of wind had been experienced at the Bahama islands in December ; but no ma- terial damage had been sustained. A schooner of St. Salvador had been wrecked on the east end of Eleclthera ; the vessel, cargo, and all hands lost. The American schooner Liley, from Port-au- Prince, was wrecked off Exurna ; vessel lost, master and crew saved.

The Royal Bahama Gazette, of Dec. 26, states, that the Insur- gent privateers were blockading Havannah, and there was no force there adequate to the task of coping with them. They boarded every vessel that came in or out of the harbour. A large Spanish ship had been taken possession of by them ; and it was said the whole crew were murdered, and the vessel sunk. This had created the greatest alarm at Havannah, and a considerable degree of in- terest was excited among the in- habitants

habitants for the protection of the trade.

An act had been passed at Nassau, declaring that all slaves, not being actual natives of Africa, should be deemed and taken to be creoles, and subject to a tax, and that to be paid by the owners of the said slaves.

Ragged Island, N.P. was under a blockade by a set of piratical boats, several of which had landed, plundered the place, and murdered several of the inhabitants.

14. An inquest was held on the body of Sarah Wark, who was found dead on the floor of her house, situated about nine miles from Belfast. From the nature of her dealings she was occasionally absent for days together, and from that the neighbours were under no fear for her safety. In the end of the house was a small window, nearly filled up with stones; but a dog, probably attracted by the smell of the corpse, had got into the house through it. Not being able to get out again, it barked, and a person looking in at the hole, discovered the body. The neighbours forced the door, when a most shocking spectacle presented itself. The body lay on the floor, and close by it a hatchet. One of the hands, apparently cut off by the wrist, lay in a perfect state near to the body; the other hand was not to be found. On the right side of the forehead the skull was deeply knocked in, and there was also a large wound a little below the chest; and, what added to the revolting spectacle, a small pig, which had belonged to the woman, was found in the house, and

had devoured almost the flesh of the face, the arms, the upper part of the body. In all the circumstances, the jury had no hesitation in returning their verdict—"That the deceased had been murdered by some person or persons unknown."

16. New York papers to the 22nd, and Boston to the 25th ult. have arrived.

The report of the committee appointed to investigate the affairs of the Bank of the United States has been published. It occupies ten columns of an American paper. A deputation of the committee had proceeded to Philadelphia, Baltimore, and New York, to collect information. After minute details, the committee conclude the report by stating, that the Bank have violated their charter in four circumstances—

1st. In purchasing two millions of public debt, in order to substitute them for two millions of similar debt, which it had contracted to sell, or had sold in Europe, and which the Secretary of the Treasury claimed the right of redeeming.

2nd. In not requiring the fulfilment of the engagements by the stockholders, in selling to pay the second annual instalments on the stock, and funded debt.

3rd. In paying dividends to stockholders who had not completed their instalments, the provisions of the charter in this respect were violated.

4th. By allowing persons to have more than 30 votes each, by various pretences of being heirs, &c.

mittee do not offer for these evils. The Bank in consequence very unsettled state. Bank stock was as

day.—The *cholera mor-* continues to rage amongst has decreased considering the last few days. of deaths from the 31st of August, by 3, on the island of s — males, 311; females, 537. The deaths from other ring the last month, aking 1171 total of ugust.

from Tannah state, isease was declining that it was prevalent e villages of Salsette. rom Bassein mention, ease had reached that a which circumstance it it appears to be proving to the north-reached Bancoote, to ard, some days ago.

as, Oct. 3.—The latest rom Ceylon, brought pers, are of a gratification. We mentioned, since, as a credible re-the Pretender and his .appitipola, had been und this intelligence is med. It has had, as pected, the most be-sequences, in allay-ellious spirit so preva-a certain class of the heir influence and in-at an end, and the dey inspired has also every province the all descriptions were

hastening to submit, and to give the surest proof of their sincerity by the surrender of their arms. In the seven Korles, arms are brought in every day in abundance. In Hewahette, where captain Cleather was so vigorously attacked, and his escorts so continually annoyed, all hostility had nearly ceased, and there was every prospect of that province, the most rebellious of all, being restored to tranquillity. In Wellassy every thing is perfectly quiet. The new works at Paranagam are in great progress. We hope our next advices from this quarter will communicate the pleasing intelligence of the entire suppression of the recent insurrection.

Hamburgh, Feb. 16.—The history of the trade of Hamburgh deserves to be written by a judicious historian. There is, probably, no commercial city where the sources of gain have experienced such remarkable alterations. It is well known, that our city owes its original prosperity to the breweries; at present our beer is, of all the kinds brewed in Germany, the worst, at least the most unknown. Ten years ago our sugar-refiners flourished, and our sugar was exported to the remotest countries, even to those which had sugar-refineries of their own. The latter, indeed, is still done, especially to Russia, where only Hamburgh sugars, as being the most durable, are fit for being sent into the interior of that immense empire; but since sugar-refineries have been excessively multiplied in all foreign countries, and the prices of refined sugar are in no proportion to those of raw,

raw, the exportation of this article is now so inconsiderable, that the manufacturers must be diminished in number every year, or become bankrupts. At present, insurances have become a branch of business to an extent never before known. We already rival, in this branch, even the English themselves; want of credit, and of a bank to facilitate the circulation of capital, render the insurance of other continental cities difficult. Hamburgh has at present twenty active insurance companies, each with a capital of from 450,000 to 1,500,000 marks banco; besides these, there are a great number of private insurers.

Constantinople, Dec. 15.—The Pacha of Diarbecch has sent to Constantinople a circumstantial report of his expedition against the rebels of Mardin. This report has been accompanied by a thousand heads, severed from the vanquished. These sanguinary trophies have been exposed, as usual, at the gate of the Seraglio. The Tartar who brought them, has obtained a Pelisse of honour. Presents have also been sent to the Pacha.

17. *Extract of a Letter from Jamaica, Dec. 28, 1818.*—"I am glad to inform you of our arrival here on the 18th instant. We left Madeira on the 19th of November, and the same day, at three, were boarded by a pirate ship, of 16 guns, who took possession, drove all our crew below, and placed sentinels over the scuttle; run the ship before the wind under the Decorters, rummaged and searched the ship for money, as they said, and

plundered us of a quarter of Madeira, one barrel of powder, cask eight dozens of bottles, one dozen of port wine, glass, and my best sea sides wearing apparel, three dozen and a half wine, and sundry other things. The crew were apparelled in English; they frequently threatened to put us all to death, to get information, which I expected they would do, to our conduct. The commander told me he was a second Parthian, and cared for no flag; he wanted, and money I had. After dark, he was cutting away our masts, the carpenter hand his axe, he persisted in it a long while, and all being intoxicated, he made a great deal to do to get him from cutting them. At last they swore me not to go to Madeira, or to give information of them before we were in Jamaica, as, if they attempted it, I was to lose my mercy; and being informed the pirate, the brig of war was the Parthian, we were told them she stood into Roads for water, and to go to Jamaica. They left us at night, and allowed us to sail, they laying to, we did, and during that night cut our foremast. On the next morning, at day-light, bore E. S. E. distant eight leagues, observed the sail with all sail, standing, expected no other than coming to put his form into execution. I endeavoured to get in shore of him, but found nearly calm, and he

ght armed our boats, them, not being able the ship, as the only ving our lives; rowed but the breeze soon ing up from the west- ed him to come fast soon got us under his re obliged to go along- at our fate, without rcy; but, to our great et with every kind- towed us up to the , which we regaining o'clock, after return- extant and spy-glass, us fruit, he said he s into the Trades, and is all night, and the g sent his boat with ake the best of our aica, and he stood to- sle of Teneriffe. He ed a British schooner before, which put into ile we were there; l that he had sunk a all hands but one."

Malta, Jan. 18, 1819. e just received an of- from Minorca, of the forming me that a ves- ved there from Tunis, sage of eight days, counts that the deaths amounted to above n. The master of the ted, that just before e heard that the deaths ed to above 600 per

ch frigate has just ar- ahon, from Algiers, patches up to the 15th ich it appears, that s of the plague had in that city. The con- supposed to have been

re-introduced by persons who ac- companied the bey of Constanti- nas, Califfa, with the quarterly payments for the Algerine go- vernment.

(Signed) "GEORGE DON.

" P. S. The deaths by the plague at Tunis, according to the official returns, from the 1st No- vember to the 1st December, amounted to 12,117.

"GEORGE DON.

" His Excellency Sir H. Wellesley."

In repairing the principal altar of the lower church of St. Francis d'Assise, the body of its holy founder has been discovered, af- ter having lain there unknown for 600 years. The sovereign pon- tiff, apprised of this discovery, has given orders to the bishops of Boligno, Perouse, Spoleto, and Assise, to repair to this latter town, after the Epiphany, and to make an authentic recognition of the body, with all the necessary forms. The intention of the holy father is, that these precious re- mains shall be transferred with pomp to the upper church, and be there exposed to the veneration of the faithful.

Hastings, Feb. 23. A fishing- boat, with three men, was this morning upset in a storm, in en- deavouring to get into Hastings. The poor sailors took to a raft, and being very near shore, they might all have been easily saved if there had been a life-boat at this place, and thus their suffer- ings, and the agonies of their friends and families, might have been avoided. The three unfor- tunate men continued for nearly an hour to float near the shore, at the mercy of the waves, and with-

16] ANNUAL REGISTER, 1819.

in sight of the multitude, who were unable to give them help, till two of them were washed off and lost, one after the other, and the third was at last thrown ashore in a state which makes his recovery very doubtful.

24. Died, at Edinburgh, on Sunday evening, the 14th instant, John Sackeouse, aged 22, a native of the west coast of Greenland. This Eskimaux has occupied a considerable share of the public attention, and his loss will be very generally felt. He had already rendered important service to the country in the late expedition of discovery, and great expectations were naturally formed of the utility of which he would prove on the expedition about to sail for Baffin's-bay. The admiralty, with great liberality and judgment, had directed the greatest pains to be taken in his farther education; and he had been several months in Edinburgh with this view, when he was seized with a violent inflammation in the chest, which carried him off in a few days. He was extremely docile, and though rather slow in the attainment of knowledge, he was industrious, zealous, and cheerful, and was always grateful for the kindness and attention shown to him. His amiable disposition and simple manners had interested those who had opportunities of knowing him personally, in a way that will not soon be forgotten. To the public his loss, we fear, is irreparable—to his friends it is doubly severe. Just before his death, the poor Eskimaux said he knew he was going to die; that his father and mother had died in the same way;

and that his sister, who last of all his relations, had appeared to him and called away.

25. A very interesting meeting took place at Freemason's-hall of about 260 of the Irish children educated and clothed in schools, generally called Catechetical schools, in George-street, St. Giles's. A new chair was taken by the Duke of Gosford, who supplied the throne of the duke of Bedford, the late patron. Sir Digby Macdonnell opened the business, by pointing out the great obstacles formerly opposed to the education of children, from the prejudice of the Roman Catholic priests, which now, in a considerable measure, had subsided, in consequence of the liberal and respectable system of education pursued by the committee.

A letter was read from the duke of Bedford, who could not be present, highly praising the exertions, and inclosing a draft of 1000 guineas, in addition to his former donations. Mr. Wilberforce spoke in strong terms of the use of these schools; and said it was a happy event that the duke of Bedford had diligently ascertained the real nature of this establishment, and the conduct of the teachers, but particularly of Mr. Finigan, the master, before he would accept the nomination of patron; and that doubt being thus removed, the schools had gained no small reputation, in consequence of the duke's temporary reluctance.

Many animated and impressive speeches were made, after the public examination of the children (both girls and boys) had

with

witnessed; and the company dispersed, with a full conviction that 1,500 poor and ignorant descendants of Irish parents had been trained up in the fear of God, and educated in useful knowledge: the females, as was stated by Mr. Butterworth and Mr. Blair, had received the farther benefit of being instructed in needlework by several ladies, besides learning to read, write, and perform the rudiments of arithmetic.

MARCH.

2. Lausanne.—At the request of the Spanish Ambassador, the Directory has communicated to the Cantons the Royal Decree, according to which all foreign adventurers who may be taken under arms, under the banners of the American Insurgents, or furnishing them with ammunition or arms, will be punished with death.

4. Revel.—The navigation hitherto has not been closed—a circumstance that has not occurred in the recollection of the oldest person here.

Frankfort.—A reclamation presented to the Germanic Diet recalled the remembrance of the celebrated diamond necklace, which produced so strong a sensation in France, and throughout all Europe, a short time before the French Revolution. Several Englishmen, who had lent to the Cardinal de Rohan, Prince Bishop of Strasburg, a sum of several millions of livres for the payment of this necklace, and who had received in mortgage some property

situate on the right bank of the Rhine, now demand the payment of this debt from the Grand Duke of Baden, who is now in possession of this property, charged with the debts for which they had been pledged, but who refuses to liquidate them. Dr. Jassay, an advocate of this town, is charged with this affair.

The property of the bishop of Strasburg, situate on the left bank, was sold during the Revolution, for the creditors, who were then in England, and could not make their demands.

8. Brussels.—It is said, that the works for the erection of the new palace for his majesty, after the plan approved of by him, will commence in a fortnight. On the other hand, the works for the monument which is to be erected on the field of Waterloo will begin immediately. This monument will be of a prodigious elevation, and of immense extent at its base. It will resemble an Egyptian pyramid. The spot chosen for it is that where his royal highness the Prince of Orange was wounded on the memorable 18th of June, 1815. The sum of a million of florins is said to be destined to this monument.

Gotha.—Before M. Von Stourdza left Weimar to proceed to Russia, he received a letter from two students of Jena, couched in these terms:—"You have allowed yourself, in your pamphlet on Germany, to attack a considerable portion of the German youth and the honour of our country. We demand satisfaction for this outrage. We challenge you to single combat, after the manner of our ancestors. A German allows

his adversary the choice of weapons. If, as we have heard, you refuse to fight unless when challenged by a noble antagonist, know that we the undersigned are noble."

M. Von Stourdza, in his answer, said, that he could not reply to all the challenges which were addressed to him, and would neither employ his sword nor his pen in repelling the attacks of which he was the object, for no other reason than because he fulfilled a duty imposed upon him by the order of his imperial master, under whose direction the pamphlet in question was drawn up and printed.

After this communication, the sub-rector demanded of the two young men a retractation, which one of them did verbally, and the other in the following written terms:—"Since M. Von Stourdza declares, that he only acted in the capacity of a public servant; and that he only devised, wrote, and drew up the obnoxious paper, under the direction of the autocrat of all the Russias, I, a free German, see no reason for demanding satisfaction from a writing machine; and declare, that I renounce all claim of satisfaction from M. Von Stourdza."

The Persian Ambassador arrived in Paris on the 6th inst. It was remarked in the different towns which his excellency has visited, that, true to the customs of the eastern ambassadors, he did not offer the smallest gratification to the persons employed in the public establishments, doubtless persuaded that the sovereign of each territory ought to do the honours of his country.

Limerick.—On Friday number of villains went house of a man of the Kelly, in the neighbour Croom, for the purpose of arms; but on meeting sistance from Kelly and one of the villains fired a and shot him dead. T sister suddenly exclaim further resistance was and begged her father w render the gun, as she k of the party to be her un vant, who would save th the family; the fellow about, and levelling his g poor girl, also shot h then went off. Two of t lows came to the wake unfortunate people on night, and were appreh

11. The report of the sioners for the herring fi their proceedings for ending the 5th April, 1 been printed by order House of Commons. cludes with stating, "t missioners think it is that the character of the fishery is rising both at l abroad; for while the q herrings cured gutted is increasing, the quantit ungutted is every year ing, and that the demand pace with the quantity t They have also to menti while the exportation to tinent of Europe has equalled that of the p year, and the exportatio land and the West Indie creased, a new market ha in the East Indies, to w ferent shipments of herr been made both from G

idon; from the former at success, but the result is not yet known, and it that India will soon be permanent and valuable for the consumption of errings."

iall.—Yesterday, Barthobroughton, the naval officer already has undergone examinations, on suspicion having robbed the White man, Fetter-lane, and the th-two-necks, Lad-lane, e had slept at different as brought up before the magistrate for what was a final hearing, it be-erstood that one of the es stolen from the White n had been traced to his n.

s entering the office, his nce betrayed great in-on, which was supposed e result of mental agita-sequently he complained eater, the marshalman, him in custody, that he ill, and at length con- the had taken laudanum.

assistance was immed-ent for, and the prisoner to the magistrate's par-a emetic was adminis-t without effect, and sub-y another. In this state placed at the bar in a en the worthy alderman, ng him not in a fit state o his examination, there-anded him till Friday nd he was accordingly l to the infirmary at the , with instructions to the to send for the medical t immediately.

The fact of his having taken laudanum was at first doubted, inasmuch as from the quantity the prisoner stated himself to have taken, and the length of time which had elapsed since he took it, symptoms of a much more violent nature were to have been expected; it was however discovered, on inspecting the phial, that it had contained laudanum, which the medical gentleman considered, from the symptoms, must have been in a very diluted state; and that after the operation of the emetic, the prisoner was not likely to be materially affected by it. The laudanum, there is no doubt, was brought to the prison by his wife.

On Saturday last, about 11 o'clock at night, a most destructive fire broke out in the extensive water corn mills at Chester, which, notwithstanding every exertion of men and engines, raged with such impetuosity, that in the short space of three hours scarce a vestige remained to mark the site of the building. One man, we are sorry to add, in endeavouring to save some property, fell a victim to the devouring element, and was literally burnt to a cinder. The cause of this catastrophe has not been clearly ascertained, but it is conjectured to have originated in the kiln used for drying oats for making meal. We are happy to add, that a great part of the property is insured; the total loss of which is estimated at 30,000*l*. Colonel Wrench, the proprietor of the building, is the greatest sufferer. A similar accident occurred nearly 30 years ago, but not so extensive in its

consequences, as the buildings and machinery had lately received every possible improvement.

12. In consequence of the great fall in the market for raw cotton, expresses have been sent from Liverpool, over land to Calcutta, in order to countermand, as speedily as possible, any further shipments of that article. An absolute engagement is said to have been entered into by the persons bearing the expresses, to deliver them, allowing for accidents to life or limb, in three months from the date of leaving England.

Rome.—The Prince Regent of England has requested the holy father and cardinal Gonsalvi to permit the English painter, sir J. Lawrence, to take their portraits for the gallery of Carlton-house. This artist is soon expected here.

16. *Lausanne.*—On the 4th inst. a dreadful conflagration nearly entirely destroyed the large village of Azmoos, district of Sargans, canton of St. Gall. Nearly the whole population of this village, and of the neighbouring communes, were at work at the dykes on the banks of the Rhine; and before any help arrived, 113 houses were consumed by the flames, and 313 individuals, forming 78 families, were reduced to the most afflicting misery by the loss of their live stock, furniture, and provisions. The church and 25 habitations escaped this disaster, which has been alleviated in some measure by prompt relief from the government of St. Gall. In 1716 this village experienced a similar fate.

The misfortunes which the inhabitants of St. Gall have endured, during several years past, from the stagnation of trade, fires, and inundations, cannot be too much lamented.

17. A steam-boat has been built at Trinidad to ply between Port Spain and San Fernando, touching at Point-a-Pierre; she has three cabins, for the white, coloured, and slave passengers, and was to commence her trips on the 21st of December.

22. The *Amity*, which has arrived at Liverpool from New York, has brought considerable remittances, and some extensive orders, to some of the first houses in Lancashire and Yorkshire, particularly for fine broad cloths; but the coarse and inferior kinds are quite unsaleable at any price in the American markets, which are represented in these letters as completely glutted with our common fabrics. Cotton wool is so low in the American markets, that the principal planters in many districts have come to the resolution of decreasing the quantity grown by them, for a given time.

24. The Southwark-bridge was opened for passengers at 12 o'clock at night. It has 30 lanterns, lighted by gas, which give a most brilliant effect. Thus, in the space of 4 years, another ornament has been added to the metropolis. There was no ceremony observed on the occasion; but as St. Paul's struck 12, the toll of one penny commenced. The roads intended to lead to the bridge on the Surrey side are in great forwardness: one has been planned, from the

phant and Castle, to cross George's-fields, passing the part of the King's-bench thence across Great Sufreet, to meet at a right with New-bridge-street, in street.

Constantinople, Feb. 25.—The side Riviere, the French ambassador, having caused to be arrested and kept in safe custody a set of thieves, composed of men, Corsicans, and Italians, who had formed a project of robbing his palace by night, in contemplation to try them before the officers of the embassy; several ministers of their sovereigns residing here were in favour of the intended measure, and gave their consent to it. It was stated that his highness, in that these malefactors had committed thefts in various parts of Constantinople, would consent that the French ambassador should exercise its jurisdiction over the accused, and that he urged the reis-effendi to do so in the most express manner. The ambassadors similar reasons upon the rights of the signior. In consequence of this last month, complaints were addressed to the Divan, on account of the different embassies which they require, on account of the execution of the law. It was even alleged, in the case of malefactors, of powers whose representatives reside in Constantinople, being convicted of offences against the subjects of the signior, the Turkish judges address the jurisdiction of the ambassadors, in order to bring offenders to trial.

26. The French government are taking decisive steps to re-establish the fortresses which the allies had dismantled: 360 pieces of cannon have been ordered from La Rochelle to the eastern frontier, and above 500 condemned pieces had been sent to the foundry of Strasburg to be re-cast.

31. *Washington*.—The president departed from this city yesterday, in the steam-boat, for Norfolk, with an intention to proceed by Pasquotank, the Albemarle, and Pamlico sound, to Wilmington, Charleston, and Savannah, having in view, in reference to public defence, a careful inspection of all the inlets from the ocean. The reports of the board of commissioners, consisting of officers of the corps of engineers and of the navy, relative to a naval depot, dock-yards, and fortifications, point out the objects peculiarly deserving his attention. From Savannah his course will probably depend upon circumstances. The season, it is expected, will be too far advanced to admit his passage by land to New Orleans, if, indeed, it were proper to take that route before the late treaty with Spain is carried into effect. Should he not continue his journey towards New Orleans, it is said that he will proceed westward by Augusta, through Tennessee and Kentucky, to the new States, or to some of them. In that section of the Union, many objects of the highest interest present themselves to view, a correct knowledge of which, it is believed, would be useful to all employed in public councils. Our relations with the Indian tribes, under the immense

cessions

cessions of territory obtained from them by the treaties of the last year, are of that character. The game on which they have principally relied heretofore will no longer furnish them with a subsistence. New efforts will be necessary to civilize them; and effectual regulations must be adopted for the purpose, or they will perish. The great amount of the public lands, which constitute an inexhaustible source of wealth to the whole nation; the disposition of our troops to protect our frontier-settlements and preserve peace with the Indians; to protect the Indians themselves from injustice, and to secure the public lands from intrusions; are subjects highly worthy of the attention of those to whom the management thereof is intrusted, and particularly of the chief magistrate.

Mr. Monroe has evidently considered it his duty to attend in person to these objects since he was elected into the present office, and particularly to measures relating to the public defence. The late war obviously formed an epoch in our history, and furnished the motive, if it did not impose the obligation on the chief magistrate, to give to those measures the utmost activity and vigour. We have not forgotten the imminent perils of that momentous struggle; the desolation of our coast, throughout its whole extent; the great number of our citizens who were called, even from the most remote parts of the interior, to its defence; and the waste of life from disease which followed. Had the coast been fortified, 1-10th of the force would

have been more adequate to defence, and more than enough of our citizens and property lost would have been saved from destruction. We all receive ability and virtue with a citizen then at the helm in that struggle, and his perseverance in moments of the severest trial. Mr. Monroe acted under him, in the management of war; and has witnessed the difficulties of the struggle, he thinks it incumbent on him to exert every power to carry into effect salutary laws and provisions Congress, since adopted, to prevent like calamities in the event of another war.

Such, obviously, are the motives and the objects that have formed the opinion of the president upon him this arduous task which he commenced since the national concerns were confided to his hands, and which is now prosecuting.

The secretary of war, in company with the president, and company him until he left the coast for the interior.

APRIL.

1. *Gibraltar*.—"There have been no less than three days between the officers of the 64th regiment, and the crew of the American sloop *Erie*. According to reports of the officers belonging to the United States, are dead of the officers of the 64th regiment, but not dangerously wounded. The dispute

the purser of the United frigate, which has since and a lieutenant of the giment. The officers of it were put under arrest commander in chief, and hallenged by their oppotated this circumstance."

A warrant was issued by the coroner, to the parish officers of Worlham, Hants, direct- to take up the body of named Francis Stephens, and on Wednesday, from nearly a gallon of beer at a quarter of an hour, on Sunday. The jury d a verdict—Died from re drinking. The coroner that clergymen, as well as, were liable to present- id fine, and also to indict- or suffering a body to be without sending for him he death was sudden, or n occasioned by violence; n its having been repeat- me, he expressed his de- tion to indict the first officers who should here- nder themselves liable.

—The emperor and em- Austria yesterday made enn entrance here, under of artillery and every other ay of respect. The au- avellers alighted at the l palace, where his holi- n learning their arrival, led even to the ante- rs of the palace to wel- tem.

holy father received his us guests with every mark ctionate regard. After ing with them some time, ous introduced the cheva-

liers and ladies destined to form their suite. Their majesties were then conducted by cardinal Gousalvi to the apartments prepared for their reception.

5. *Haarlem*.—For some time past a plan has been spoken of to drain the Mere of Haarlem, which is of the extent of 26,000 acres, and to render it fit for the purposes of agriculture; this plan has been discussed several times at different periods, and has now been submitted to his majesty.

Valenciennes.—The events which have borne heavy upon France for some years past had caused the triple line of fortresses to be neglected, which extends from the Upper Rhine to the North Sea, and forms an almost insuperable barrier, when it is well defended. Marshal Gouvion St. Cyr, the minister of war, has adopted a plan, which the king has approved, to increase the strength and independence of France, by making its power respected abroad; besides, the ancient system of defence created by Vauban has undergone some changes by the cession of the important fortress of Landau to Germany, and of Philippeville and Marienburg to the Netherlands; on the other hand, Luxemburg, the Gibraltar of the centre of Europe, is a fortress of the German confederation. The frontiers of Prussia touch those of France, and the Moselle and the kingdom of the Netherlands will shortly be covered by a line of fortresses which are erecting with a rapidity that is truly astonishing. Under those circumstances, it has been judged indispensable that France should take a respectable

spectable attitude; in consequence, all the fortresses of the first, second, and third ranks, will be successively put in an excellent state of defence; the artillery, and all the materials necessary to arm them completely, are to arrive from the interior of the kingdom during the spring, and will be distributed among the fortresses which need a supply. The cannon unfit for service will be recast at Douay, where the regiment of artillery of Toulouse is expected this week to replace that of Douay, which goes to La Fere. The new organization of the army proceeds with rapidity; the legions of foot, and the regiments of horse in garrison in the sixteenth military division, daily receive a considerable number of recruits. Many old soldiers willingly resume their arms to serve their country anew, especially since a great number of the officers who have so often led them in the field of glory have been recalled to their standards. The third battalion of each legion is forming, and soon the complete organization of the army of reserve will end the new military system. Many officers on half-pay have lately received commissions and notices of the corps in which they are to serve. The two regiments of infantry of the Royal Guard in garrison in this city and Lille are also completing, by voluntary enrolments. Tranquillity, order, and peace, reign in our provinces, where the prevailing spirit is excellent. While the manufactures of Picardy, Artois, and French Flanders, become every day more prosperous, a formidable army of douaniers on

our coast and frontiers protect our natural industry. It is most impossible for contraband goods to pass this triple line; every douanier piques himself on hindering foreign manufactures from entering France; and may be said that they show in service, independently of their own interest, a truly patriotic zeal: they consider the seizure of English goods in particular a sort of triumph of which they boast.

9. Letters from Saxony state that caravans of German families continue to pass by Leipsic and Frankfort-on-the-Oder, towards Poland. On the 16th of March nine waggons passed through Weimar on the same destination. The reason assigned for this emigration is the want of fertility of the soil. The government of Poland offers the emigrants many facilities towards establishing themselves in that country.

The Universities of Duisbourg, Munster, and Paderborn, are now aware of their destiny. That of Paderborn is suppressed. In Munster there remains but a course of theology and of other ecclesiastical sciences; the young men of the diocese of Munster who are destined for the priesthood. The professors retain their appointments during their lives, under the condition of fulfilling the duties to which they shall be called.

The celebrated defender of liberty of the press, Mallinkrodt, who was condemned by the criminal tribunal of Cleves to twelve months imprisonment, for having published that the military exercises disturb the devotion of

bled in the churches, absolved by the superior Magdebourg, which has the sentence of the tri-Cleves. The friends of the press in Ger-It so much the more in, as an express order of Prussia had declared writer shall be punished of that which refers uses that may take place ministration. In conse- this, the liberty of the supposed to be legally re- in the Prussian states.

m.—Together with the against smugglers and of the customs, an vere ordinance respect- tion has been published, o be in force from next h together are expected he most important con-

for the course of ex- he manufactures of the and the revenues of the National and foreign are allowed to sail di- o 14 ports only, and de- ir cargoes; the places to other ports (among Stockholm), where they in to make their preli- claration, and be visited ficers, are strictly pre- nd all others prohibited penalty of 500 dollars nine months hard la- fortress; as well as an- ithout necessity even in

channel, or sailing in ilots, who are ordered he superintendence till l of the custom-house Vessels under 15 lasts re not to sail with any ish productions, and to

bring back none but productions of the place where they have landed their cargoes. Every Swedish captain coming from a port where there is a Swedish consul or commissioner, shall have with him a duplicate of his ship's manifest, signed by the consul or commissioner, by the custom-house officer and the ship-broker of the place, together with an extract of the contents of all his bills of lading; and shall also show to the consul within three days after his arrival, his last Swedish passport, and bring it back (signed by him) to his own country. The declaration of the captain shall be made within 4 hours after his arrival, the special declaration of the owners of the goods within 8 days, and the payment of the duties within 30 days; unloading in the open sea, or in a prohibited manner, or in the absence of the custom-house officer, costs the loss of the goods, 3 years hard labour in a fortress for the cap- tain, and confiscation of the ship and cargo, together with the punishments pronounced against smugglers, for such of the owners of the ship or of the goods who have been privy to the misde- meanors, &c.

10. The Troon harbour, on the coast of Ayrshire, which was begun by the Duke of Portland some years ago, has been some time completed. The Duke is said to have expended 200,000*l.* on this undertaking, the object of which is, to afford a shipping for the coals of the extensive mines belonging to the Duke of Portland in that district.

14. The spirit of emigration from

26 ANNUAL REGISTER, 1819.

from Portsmouth continues unabated. Every packet for Havre conveys numerous passengers destined for America; and not less than 500 Englishmen are supposed to be now at Havre, waiting for a fair wind, many of whom have been there upwards of a month. About 70 persons, chiefly artisans and mechanics, with women and children, amounting in the whole to at least 200, have embarked during last week, intending to proceed from Havre in an American brig belonging to Baltimore, which has been taken up expressly for the purpose. The expenses of the voyage are to be defrayed out of a fund which has been accumulating for some time past by a small weekly subscription, and the total charge for each passenger is said to be less than 4*l*.

The *Moniteur* contains a royal ordinance, approving the institution of a "Royal Society for the amelioration of prisons." This ordinance consists of 23 articles, regulating the manner in which the said society shall carry into effect, throughout the whole kingdom, the purposes for which it has been specially created. The King declares himself the Protector, and authorizes the Duke d'Angouleme to become the President of the Society. The statutes and regulations of the Society, as well as the list of the founders, are ordered to be submitted to the Royal approbation.

14. A short time since a kind of volcanic eruption took place in the Swiss canton of Tessino; a small mountain, near Monthio,

opened and poured forth a mass of smoke, masses of rock and flames. Considerable blocks of stone were detached from the mountain and rolled into the bed of a neighbouring river. A fire, was, even on the following day, impregnated with sulphur, and fire was seen in the soil which had been formed.

15. Letters and papers received 10th ult. from Havannah have been received, by which it appears that the fleet of Spanish ships which sailed from that port on the 26th of February, under the command of a frigate and sloop of war from Cadiz, had a few days after their departure experienced very bad weather, and were compelled to return to the island. Several of them narrowly escaped being captured by the Insurgenteers; and had the vessel continued on their voyage, no doubt several of them would have fallen into the hands of the rebels separated from the ships accompanying them. The trade with the coast of America in January and February has been less active than usual. The Havannah Diary contains a small list of ships which have arrived within that period. A great number of vessels were permitted to leave Cuba, and would have done so after having obtained free passes for the sale of negroes.

20. Advices from Gibraltar 23rd ult. state, that the Governor of the fortress had received the unfavourable news of the increase of the plague at Tunis, and the towns in the immediate neighbourhood.

Hamburgh, April 20.—The sequence of the stipulations

in the Diet at Frank-
allitary organization will
urges a material change.
rison, now amounting
800 men, will be aug-
e 1,500, among whom
00 young men of our
d, chosen by a regular
conscription, and under
s to take the field in
necessity.

lover.—The Duke and
of Kent landed here to-
at two o'clock, from the
vereign yacht, after a
ge in about two hours
off from Calais, where
remained several days
for the spring tides to
the yacht sailing out of
bour with safety.

lover.—About three this
his majesty's schooner
rrived in the roads, and
tly after the boat be-
o the Customs put off
under a salute. She
ard the Persian ambas-
suite, who on landing
ted with another salute
guns at the heights. As
mer had been seen for
before her arrival, there
amazing concourse of
sembled on the beach,
nôvel nature of the ar-
en or a dozen persons
silks and turbans, with
and long beards, in no
ree attracted the atten-
e inhabitants.

e Leeds and other York-
ers notice the alarming
of upwards of 240,000
cloth in the manufacture
ear, as compared with

aris.—Prince Paul of

Wurtemberg, who has resided in
Paris for the last two years, has
addressed a letter to the Ger-
manic Diet, complaining of the
arbitrary acts which the King his
brother thinks he has a right to
exercise towards him, in virtue of
a family law which the King suc-
ceeded in compelling Prince Paul
to subscribe about a year ago.
According to an article of this
law, a Prince of the Royal Fa-
mily cannot absent himself from
the kingdom without the consent
of the King. The King has lately
ordered Prince Paul home, under
pain of confiscating his *appanage*.
The Prince, who thinks that in
returning he would expose him-
self to acts of violence on the
part of his brother, declares that
he will not return to the kingdom
till his Majesty has fulfilled the
13th article of the act of the Ger-
manic Confederation, which sti-
pulates for the establishment of
constitutions in the Germanic
States; and till the relations be-
tween him and the State, and be-
tween him and his brother, be
constitutionally regulated.

Last evening, about six o'clock,
the borough of Southwark was
thrown into the utmost terror and
confusion, by the explosion of a
steam-engine on the premises of
Mr. Smitherman; a sawyer of
mahogany and other woods, in
White-street, Borough: the re-
port was as loud as the firing of
cannon. The copper was blown
(a fact almost incredible) the
distance of 300 yards, upon the
roof of a warehouse four stories
high, where it is now to be seen,
which it damaged considerably;
the engine-house, and some of
the premises adjoining, were
blown.

the public, I never asked
 er to say any thing fa-
 of me, nor gave any
 ny uneasiness for having
 ill of me; and though
 sible of kindness, I have
 answered calumny. M.
 will, therefore, permit me
 e his protection, and,
 knowing the offence, to
 that I do not consider
 offended. I disclaim all
 ngs in this respect, and
 hem with all my power.
 ie honour to salute him,
 ned) LA FAYETTE."
April 27, 1819."

wer to the letter of M.
 e, M. Bellart caused the
 ; letter to be published :
 Attorney-General has
 our of replying to the
 de la Fayette, that it is
 interest of society that a
 ion should be instituted
 ie authors of L'Ami de
 ité, who have imputed to
 quis the commission of
 ious action, and one of
 t abominable crimes of
 olution. In these latter
 lvidual injuries and out-
 ive become so frequent,
 ough it is the duty of
 strates to repress them,
 ecome impossible to act
 all of them. They are
 : reduced to the neces-
 hoosing those which pre-
 most odious characters,
 h are the most hurtful to
 eral interests. Of this
 are the calumnies which
 f crimes functionaries of
 rank, to whom the con-
 of the public is neces-
 ich accuse them of of-
 onnected to epochs, the

memory of which the wisdom of
 the King has ordained, in the
 name of public peace, should not
 be revived; which finally may
 produce some disastrous conse-
 quences, similar to those which
 too many families have occasion
 to mourn. The laws which are
 in existence, and which it is the
 duty of the Attorney-general to
 put into execution, without as-
 suming the liberty of deciding
 on them, command him to bring
 this species of crime before the
 tribunals. He performs this duty
 with impartiality, without any
 exception of persons, and with
 the sole intent of preventing, as
 far as in his power, all attempts
 to re-excite the storms of civil
 discord. The generosity of the
 Marquis de la Fayette need not,
 therefore, be alarmed at an ac-
 tion, over which it has no influ-
 ence, which it does not interest
 in any manner, and in which the
 public minister accounts private
 interest as nothing. The At-
 torney-general has the honour of
 assuring the Marquis de la
 Fayette of his high respect.

(Signed) "BELLART,
 "Attorney-General."

MAY.

4. The marriage between the
 Infant of Spain, Don Francis
 Paul, and the Princess Charlotte
 Louisa of Naples, was celebrated
 at Naples on the 15th ult. The
 princess was to quit that city on
 the 24th, to proceed to Spain.

5. The Americans are fitting
 out, for the first time, an expedi-
 tion round the world. The Con-
 gress frigate, captain Henley, has
 been selected for the purpose,
 and by the last advices was lying
 at

at Norfolk, nearly ready for sea. She takes out with her from 20 to 30 midshipmen, and is expected to be absent about two years.

6. *Paris*.—Nobody is ignorant of the scandal which has resulted from the conduct of several priests, in refusing Christian sepulture to persons whom, whether right or wrong, they considered as dying in final impenitence. The bishop of Arras has issued instructions to all the curés in his diocese, not to refuse ecclesiastical sepulture to any Catholic on any pretence whatever.

8. *Hatton-Garden*.—An application was yesterday made to the magistrate, W. L. Rogers, esq., by Mr. Bodkin, one of the overseers of the parish of Clerkenwell, under Mr. Sturges Bourne's new Act for amending the Poor Laws.

A wretched-looking Irish woman, and three young children, without shoes or stockings, and almost naked, were brought into the office by the beadle. Upon examination by the worthy magistrate, it appeared that the husband of the pauper, having been unable to procure work, had some time since deserted his family, and that although they had lived in this country upwards of 20 years, and that all the children were born in the parish, no legal settlement had been obtained: by the new act, therefore, they were liable to be immediately sent to Ireland as vagrants.

Mr. Bodkin proceeded to remark upon the cruelty of the provisions of this act, which for the first time in this country regarded poverty as a crime.

Magistrate.—Sir, what opinion may be entertained of this act, I have no discretion; if you demand it, I am bound to grant the order.

Mr. Bodkin.—Sir, I demand it, but I do feel most unpleasantly situated with other London parishes among themselves of the position of the poor under this act, if ours abstain from doing so, the natural consequence will be to attract to us the burthen. The duty of the overseer now calls upon him to do that which every man's conscience must surely most strongly condemn. My only object in bringing these miserable objects before you is to arouse them to a sense of the inhuman impolicy of the act. I indeed, bring myself to bear, but will be long suffered to resist force, or that the numbers of rank and influence in the metropolis, connected with the land, can refrain from endeavour to effect some improvement or qualification of this clause.

The poor woman wept at the idea of being sent to the coast of Ireland, and she was now altogether upon the point of departing, and expressed the utmost gratitude on being informed that it would not be the case. The magistrate appeared strongly impressed with the severity of this enactment, and Mr. Bodkin (who is immediately connected with the Society for the Suppression of Vagrancy) declared his decided conviction, that the sequence must be great to increase the number of the Irish in the streets.

is stated by a Flemish t a considerable emigra- Russian vassals having ace from the frontier of to Poland, it was pro- y the cabinet to adopt asures for getting the igrants restored by the uthorities, when the Em- h his usual integrity de- at as the constitution of eld out security to set- hould never be violated r any other article.

Irish.—In consequence aufacturer of this city hav- red the price of weaving s 2s. per cut, a considera- er of weavers assembled ultuous manner on Wed- sternoon, broke some of ws, and exhibited other f their displeasure. They a kind of meeting upon s, at which they resolved on the Prince Regent to m all to America!

private letters received y from all parts of the t, contain unfavourable of the state of com-

Two failures have taken Stralsund, one at Stettin, etersburgh, and a fifth at

It is further stated, most perfect stagnation in every department of , and not a single article e named for which any existed.

Madrid.—The last ac- received from Africa an- that the plague has made ogress in the kingdom of o. It continues its ra- n most of the towns and , principally at Fez, Ra- l Tetuan: 200 individuals

die daily at Fez, from 60 to 70 at Rabat, and about 80 at Tetuan. This scourge still rages at Tan- giers, but not with such fatal effects as elsewhere, although no precautions whatever are adopted against it, since it is permitted to bring there, for public sale, the clothes of those who die at Te- tuan.

1. The plague on the coast of Africa was still continuing its ravages towards the end of March, although in Tangiers and its neighbourhood there had been a great diminution of its violence. But in Rabat 10 were dying every day, and in Larache upwards of fifteen. In Tetuan there had died between the 17th and 21st of March, 357 persons; in Fez the daily amount of deaths exceeded 150, and in Mequinez they amounted to between 30 and 50.

17. A shocking murder was committed on the body of a fe- male on Friday se'nnight, in the parish of Wendy, a little after 10 o'clock, which was discovered in a most singular manner. About a year ago, a man named Thomas Weems was married to the de- ceased at the parish church of Goldington, in Bedfordshire; but it being a match of compulsion by the parish officers, she having previously sworn a child to him, he left her immediately after the completion of the ceremony, and returned to his place, leaving her to go home to her friends, which she did, and it afterwards turned out that she was not in a state of pregnancy. On Monday the 3rd of May instant, he left Edmonton, where he had got a situation, for the purpose of going to Godman- chester,

32 ANNUAL REGISTER, 1819.

chester, where his wife resided, whom he had never lived with, to prevail on her to go and live with him at Edmonton. On his road from Caxton towards Godmanchester, he fell in with a return chaise and got into it to ride to Godmanchester, and there was a man in the chaise known to Weems. In the course of conversation, Weems stated to the man, that he was going to Godmanchester to get his wife to go and live with him at Edmonton: but that there was a girl at Edmonton he was acquainted with, a very nice girl, whom he liked much better than his wife, and should much like to marry her. On the man saying that was impossible, he being a married man, Weems replied, that "when he had got his wife at Edmonton, he should soon be able to get rid of her." Weems remained with his wife at Godmanchester till Friday, when they both left that place early in the morning to walk to Edmonton. They walked from Godmanchester to the spot where the murder was committed, being about 16 miles, without resting. When they arrived at the fatal spot, they stopped: the woman being tired, laid herself down on the grass by the road side, about a mile from Arrington. While they were resting here, a woman named Susannah Bird, of Wendy, who was going to Royston, saw the deceased sitting on the ground on the right hand side, near Mr. Russell's fields, and Weems was on the other side, opposite his wife. Directly after she had passed, she saw both Weems and his wife go to Russell's field; they stood

looking about, and appeared they were noticing her, kept looking back at them. When she got to lord Hardwick gates, she lost sight of him at once, and then kept on to Royston. As she was going from Royston, she saw the same man near Royston carrying a bundle, whom she had before observed. She asked him what he had done with the young woman he had with him in the night. He said, "I left her behind; she is about spun up. I could not leave her any further, so I let her get on by the coach." A man then came on, in the coach, and looked for the woman, but could not find her outside or inside. She then saw something struck her in the head (Weems) had done something wrong to the woman he had killed her; she then saw a person hoeing in Wilkinson's field, to which she told the circumstances, and then told him that "she would go to the next field (being the field where she saw them in the night), and see if she could find what betided the young woman." She passed through the field where she saw Weems and his wife go in, and immediately covered the young woman in the ditch, her face next to the ground, her shawl over her face, and her bonnet over her shawl: her body was covered over with grass, which was cut over her by hands full of foot and one of her fingers could be seen; there were no marks in the grass by the ditch, as she had been great struggle rolling about, and there

of a man's foot from the where the grass was turned out, to the spot where the lay. She called to the man . Wilkinson's field ; he they removed the grass, examining the body, her was found round her neck very tight ; she had the fetter on her left leg ; she ite dead, and black in the Pursuit was immediately after the supposed murder who was apprehended in a . Information of the body found was sent to the coroner the county ; he arrived at o'clock in the evening, e had scarcely finished ing the jury before a chaise , in which was Weems. ry sat till between one and clock on Saturday morn- d, after taking a body of ce, they returned a verdict ful Murder against Thomas , the husband of the de- , who was committed upon coroner's warrant to the gaol to take his trial at it assizes. We understand soner has made a full con- and described the means ick he perpetrated the deed.

Edinburgh.—This forenoon, : melancholy occurrence ed at Leith. During the morning it had blown a very gale from east, and a boat, mpting to cross from with her crew, consisting r men, a woman, and a was lost within a hundred of the pier, and in sight of ds of people, without any lity of affording them as- e. The boat was pulling . LXI.

down the harbour, and had scarcely quitted the pier-head, when a sea struck her, by which she was instantly upset. In this situation some boats attempted to reach the poor crew, who were alternately now above and now under the water. They say in the exertions that were making, two of them appeared to keep a desperate hold, and one was observed to take off his hat and wave it with sad impatience, but as the boats approached, the cross sea became more dangerous, and they were forced to leave them to their fate, after three of the men had successively been driven from their hold, and the last, after having clung to the wreck for about 20 minutes, sunk to rise no more.

3. The equipment of the *Hecla* and *Griper* being completed for discoveries in Baffin's-bay, and the alterations being finished in the latter vessel, viscount Melville, accompanied by the board of admiralty, proceeded on Friday afternoon to inspect them. On the arrival of his lordship at Deptford, he was received by commissioner Cunningham, at the dock-yard, accompanied by some of the members of the navy board, and directly went on board the *Hecla*, where his lordship, &c. were received by lieutenant Parry, who has the command of the expedition, with the accustomed honours. Every part was minutely inspected, as also the accommodations for the officers, and for birthing the crew. The same ceremony took place on board the *Griper*, lieutenant Liddon. Lord Melville, and the gentlemen who accompanied him,

D

expressed

expressed their approbation of the whole, and in the evening they returned to town. The vessels drop down immediately to Longreach, below Woolwich, where they will take on board their guns and ammunition; and then to the Nore, for the crews to receive their wages; after which they will proceed on their voyage, stopping at the Orkney islands for some small supplies.

22. Advices from Buenos-Ayres to the 18th of February were received yesterday. The warfare of the Independents with the irregular banditti inhabiting the country about Santa Fé still continued, and the communication with Chili had in consequence become very uncertain, and the roads insecure to travellers. The Portuguese, by orders from Rio Janeiro, have again permitted the navigation of the Uruguay. A very valuable Spanish ship, called the Christina, from Cadiz to Lima, has been carried into Buenos-Ayres, a prize to the Union privateer. A Government express had been received from Chili of the 26th of January, bringing intelligence that Lord Cochrane had gone to Talcahuano to blockade six ships that had arrived there from Lima with troops to reinforce the Royalists.

24. The system of mutual instruction for the children of the poorer classes, according to the plan of the British and Foreign School Society at London, and the society for the same great object at Paris, has, within the last two years, been adopted in many parts of the Russian army, and is now so successfully prosecuted, that from the north to

the south of Russia, a considerable number of schools for the education of the children of soldiers, upon this economical and efficient plan, are exhibiting the system in a state of great perfection. As far north as Siberia, they have an establishment for training masters, who, when qualified, are sent to different parts of the empire; and in the neighbourhood of Odessa, in the south of Russia, there are schools for above 10,000 of the military. At Petersburg there is a school for the children of soldiers exceedingly well organized upon the plan; and another, consisting of about 250 men, has been recently opened for the soldiers themselves, a certain number of whom are taken out of the different regiments, in order that when qualified they may be able to teach upon this method. The progress they make, particularly the Cossacks, is quite astonishing. In the space of 15 days, several who did not previously know a letter were able to read short words, and even to write them well upon a slate. Prince Alexander Galitzin, the minister of public instruction, has laid before the Emperor an extensive set of reading lessons, from the Holy Scriptures, for the use of all schools upon this plan in Russia, of which the Emperor has expressed his high approbation, and has not only sanctioned them, but ordered the money to be paid for a large edition. These lessons are very extensive, and consist of three parts: 1st, Historical Lessons, taken from the Old Testament; 2dly, On our duties towards God and man, under their different

heads; and 3rdly, A nony of the four gospels, ie of the most striking he Acts of the Apostles. tion is made in the very the text, without note ent; the whole is print- ommon Russ, and will, ished, form the most set of reading lessons s upon this system which appeared.

r Royal Highness the of Kent was safely deli- terday morning, at Ken- alace, of a Princess, at past four o'clock.

idrid.—The minister of still at Cadiz, to direct the grand armament, all appearance will be sail by the end of July. igate of 36 guns, fitted runna, lately arrived at h 15 transports under y. In their passage many insurgent priva- o did not attempt to ie convoy. They also t Cadiz a division from a, consisting of two nd several transports, al more from Barcelona: iastres have just been i this city to Cadiz, to e the preparations, which ing on with double ac- cause the government necessity of striking a v this year, the Insur- ng more resolved than fend their cause. All an arrangement with yres, and of its submis- e mother country, have nothing remains but to rce of arms. All the from South America

give reason to presume that the struggle will be bloody and desperate.

26. *Carlisle.* — In conse- quence of the riotous disposition of the weavers, who have as- sembled here in very great num- bers yesterday and to-day, the Mayor and Magistrates have waited on the commanding- officer, Major Kennedy, request- ing him to suspend the march of his squadron of the 18th Hussars, who were to have marched for Liverpool to-morrow; which re- quest has been complied with, and the detachment is halted till further orders.

27. *Old Bailey.*—Edw. Crane was indicted for stealing two sheets from Thomas Brown, of Somers-town.

It will be recollected, that last sessions the prisoner was indicted and acquitted of a felony, in conse- quence of the refusal of the prisoner's sister, Charlotte Leslie, to swear against her brother, and she was committed to Newgate in consequence. The prisoner was now brought up, charged with another felony.

Charlotte Leslie was conducted from Newgate to the witness-box, and asked, whether she would on this felony give evidence. She said, that the prisoner was her brother, and that nothing should induce her to do it.

Mr. Justice Bayley.—Attend to me, woman. You have a much higher duty to perform than you seem to be aware of. You have a duty to your country and to your God to discharge; and if you refuse to take the oath, you will neglect that duty.

Charlotte Leslie.—I know that; but

but I will not swear against my brother.

Mr. Justice Bayley.—Then I shall commit you.

Charlotte Leslie.—I am ready to bear any thing. I never will swear away my brother's life.

The woman was then taken back to Newgate.

The other witnesses were then examined, and the Jury, being sufficiently satisfied, found a verdict—*Guilty*.

28. A private letter from Rome, dated the 10th inst., give some melancholy details of the ravages of the plague in Tunis. The town of Tunis has lost half its inhabitants; the terrors of the sword will shortly be added to this dreadful scourge; news has arrived of an insurrection among the Arabs in the interior, and they are about to march against the capital, to the number of 15,000 horsemen, commanded by a Tripolitan, named Califer-el-Haver. The Tunisian minister had put himself at the head of a body of troops, and marched to repel the invasion.

29. *Paris*.—His Holiness the Pope has erected the Bishopric of Quebec into the See of an Archbishop, and has elevated to the rank of Bishops, the two Grand Vicars of the See. There are now six Catholic Prelates, including the Archbishop of Quebec, in the English possessions of North America. They are protected by the government of Great Britain.

31. On Tuesday last a meeting of the coal-merchants of Newport, and the proprietors of collieries in its neighbourhood (at which every colliery working the

brown ash coal, with the exception of one only, was represented), was held at West inn, in the town of Newport, which distressing statement of the present situation of the collieries were made, and universal conviction prevailed of the absolute necessity of speedy relief. The collieries are sorry to be given to understand, from the best authority, that great numbers of workmen have been discharged from the collieries within a short space of time, and that others have been temporarily suspended their workings.—*Shrewsbury Chronicle*

JUNE.

1. *From the Carlisle Patriot*.—We have already adverted to the low rate of wages which the manufacturers of this city and neighbourhood have for some time past been compelled to give to their gingham weavers, in consequence of the depressed state of this branch of trade.

On Tuesday evening, a meeting was assembled upon the subject, at which a great number of the manufacturers were present; a committee of 12 was appointed, and the body agreed to the publication of an address, which was printed in manuscript, &c. The following day many of the leading manufacturers terminated not to work unless wages were allowed the weavers; and they went from door to door in every part of the city and neighbourhood, and compelled all others to follow their example, taking the work from the looms, and sending it home to the masters. On Wednesday evening they again assembled.

to bear a letter from
 read, in answer to
 nitted with the petition
 ided to. On Thursday
 ries went to Penrith,
 Dalston, Brampton,
 , &c. and compelled
 as there to follow their

Many would fain have
 their labours, but were
 deist by threats of all
 imitations.

ednesday the address
 ated and posted through
 nd neighbourhood.

lay, the weavers of the
 towns arrived here and
 ir brethren, and about
 ck, the whole assembled
 sands, to the amount of
 200, where they passed
 olutions; the greater
 wards marched into the
 ace and English-street,
 rder, without the least
 disturbance, and in a
 e those resident at a
 departed for their
 the most peaceful man-
 the course of the day,
 mitted issued another
 pledging themselves
 7 thing would be con-
 ith a scrupulous regard
 ublic tranquillity, and
 made a communication
 layor, explaining their
 d their object.

o, with the exception
 olence and threats em-
 compelling the unwill-
 ive their work, the men
 lucted themselves with
 orum, and we hope they
 inue to pursue this line
 ct. The detachment of
 Hussars for some time
 rtered here, under the

orders of Major Kennedy, was
 to have marched on Thursday
 morning on its route to Ireland,
 but at the requisition of the
 Mayor and other Magistrates, its
 departure is very properly de-
 layed.

A plan was submitted to go-
 vernment for the incorporation of
 a body of directors, to regulate
 the emigrations to the Cape of
 Good Hope. The proposal was
 rejected, but the following me-
 morandum from the Secretary of
 State for the Colonial depart-
 ment accompanied the negative.

I. The Landdrost shall be au-
 thorized to assign a proportion
 of waste, and to any person
 wishing to hold it, situate to the
 eastward of Bosjesman's river in
 the district of Witenhage, adapt-
 ed to the wants and means of the
 applicant; thus a father of a fa-
 mily, having grown-up sons, or
 other relations residing with him,
 whose means would enable such
 relatives to occupy land apart on
 their own account, may have the
 quantity of land he is permitted
 to occupy increased in propor-
 tion to the number and means of
 such relatives; it will be evident
 that such associations will be the
 greatest security; and it is evi-
 dent, by many examples within
 the knowledge of each of you,
 that such associations, even under
 less favourable circumstances,
 have been unmolested.

II. These lands will be granted
 to the occupiers at a rent now to
 be fixed, which rent, however,
 will be remitted for the first ten
 years; and, at the expiration of
 three years (during which the
 party or his family must have re-
 sided on the estate), the land
 shall

shall be measured at the expense of Government, and the holder shall obtain (without fee) his title thereto, on perpetual quit-rent; subject, however, to this clause beyond the usual reservations, that the land shall become forfeited to the Government, in case the party shall abandon the estate, and cease to reside or occupy the same.

III. Parties wishing for grants in the district here mentioned, will not be necessitated to make a direct application to his Excellency the Governor as in other cases, but it will be sufficient for them to address the Landdrost, pointing out where they propose to settle, and the authority of the Landdrost shall be sufficient warrant to the party, of the intention of his Majesty's Government in this regard.

IV. The Landdrost is, however, to be particularly cautious in the distribution of ground, so as to preserve waters, that the most extensive accommodation possible may be afforded in that regard to future settlers; the necessity of which must be obvious from the supposed scarcity of springs in the districts in question.

V. In order likewise to obtain the most accurate information possible with respect to springs in the whole of this district, the Landdrost is called upon to give publicity to the proclamation issued, offering rewards for the discovery of springs proportioned to their strength.

VI. The Landdrost will communicate to the colonial secretary, quarterly, a list of persons taking lands under this invitation, and

describing as accurately as possible the situation of the occupancies.

N. B. Any individual who will procure and convey to the colony subordinate labourers, and either reside or appoint an agent to reside with them in the colony, will be entitled to receive under the usual condition, land in the proportion of 100 acres for every male of above 17, actually settled on the land granted.

2. Accounts from Leipsic state, that the bookselling trade has not suffered in Germany by the stagnation of trade, and the scarcity of money. The number of new works published at the present fair of Leipsic amounts to upwards of 3,000, and comprises every work that has been printed in Germany since Michaelmas, and all that will be published before Midsummer. Medicine and Surgery furnish this time the greatest number of works: the number in this department amounts to 73.

2. In one of the ships belonging to the Hudson's-bay Company, which recently left the river for their settlements, Lieut. Franklyn, late Commander of the Trent, in the expedition to reach the North Pole, has taken his passage for the purpose of exploring that part of America to the northward of Hudson's-bay. The route this officer is to take will be nearly the same as that pursued by Mr. Hearne, in 1770, who stated that he reached the sea at the entrance of Copper Mine river. Lieut. Franklyn will be accompanied by about five Europeans, one of whom is a surgeon; and on their arrival at the Copper Mine river, are

pursue such farther course appear proper.

ing the voyage of discovery ar to Baffin's-bay, a bottle own into the sea from the der, lieutenant Parry, on h of May, when that ship Cape Farewell. It con- the latitude and longitude p was then in. About two

since, the bottle was m the island of Bartragh, la-bay, and an account of ured to the Admiralty. It ored it must have floated at the rate of eight miles across the Atlantic.

5, June 3.—Two indivi- ave been arrested at Fer- ccused of being Carabo- ey are called Tomasi and

The number of persons ined to prison, and to labour, increases at a de- e rate. The prisons cost) Roman crowns.

e was felt, on the 26th of t Cornetto, a small town atrimony of St. Peter, 15

from Rome, a violent of an earthquake, which d a great number of

The famous cupola, Castello, remarkable for quity and Gothic architec- was completely thrown

It is said that this earth- as been felt on the whole ranean coast.

rid, June 3.—On St. Fer- s day, the edict on the tion of books was publish- l the churches of Madrid. rks prohibited by this de- e to the number of 40, and ded into three classes. In t class are included those ted even to be read by per-

sons to whom the holy office grants private licence or permis- sion to read prohibited books. They amount to ten; among which are, an "Essay on Instruc- tion in general, and on the Study of Mathematics in particular." "The History of the Inquisitions of Spain and Portugal," by Jo- seph Lavallee, &c. The second class comprehends those prohib- ited *in totum* to all who have not a licence; among which are, the "Annals of the Inquisition," by Llorente, &c. In the third class are three works whose revi- sion is ordered.

5. Yesterday afternoon, about five o'clock, letters were received in town, announcing the safe de- livery of the duchess of Cumber- land of a prince, and that both mother and child were doing well.

7. An article from Frankfort, of the 29th ult., says, "Great complaints are made here of the stagnation of trade. Large capi- tals are out of circulation, and discount is at 3 to 3½ per cent. The only business of any impor- tance now carried on is, in public paper currency. We have a most favourable prospect of an abun- dant harvest and vintage: the prices have declined considera- bly. Wine, which sold two months ago at 800 florins per tun, is now sold for 500 florins. The finances of this city have experi- enced a great loss by the bad- ness of the Easter fair: this loss is estimated at 70,000 florins. The tolls alone brought in 12,000 florins less than last fair."

9. Tuesday the 18th ult. a little girl about four years of age, the daughter of W. Telford, of Cross- dale,

dale, situate at the head of Ennerdale Lake, accompanied its mother to the peat-moss, at the foot of what is called Great Banna Fell, and in the course of the afternoon rambled to the adjoining peat pots, where some of the neighbours were at work. The mother being one of the last at work, and not seeing the child, imagined one of the neighbours had taken it home. This not proving the case, an immediate search commenced, in which a great number of people assisted. It was unavailingly continued through the four following days and nights. On Sunday, many more assembled; some of whom extending their search as far as Foultern Tarn, observed a clog-mark in a steep track, seemingly accessible only to shepherds. As it was evident this could only be made by the little wanderer, an active search commenced in that direction; and on the eastern side of Herdis, in a place called Clea Gill, the little innocent was discovered, with its head reclined on its arms. As not the most distant idea was entertained it could survive six days and five nights of incessant hunger, and exposure on these bleak mountains, it occasioned no small consternation amongst those who first discovered it, when, on calling out, "it was found!" it raised its head, and desired they would not hurt it. When found, its feet were partially covered with water, and much swollen. This was the only water, and consequently the only sustenance within its power to procure during the time it was missing. It instantly recognised its father, the neighbours, and

even some of their dogs, and complained of hunger. Food being sparingly administered, it was taken home, and is now running about, seemingly well. The place where it was found was much paddled; and it is conjectured it had wandered there on the night it was lost, as a small cavity where it was found, from which it could occasionally emerge, must have been the means of its wonderful preservation; otherwise it seems impossible it could have survived the inclemency of the weather on Friday night.

Frankfort, June 12. The propensity to emigration increases progressively in the kingdom of Wurtemberg. Several societies direct these emigrations to America. It is said that several thousand persons have resolved to go and settle there. Some emigrants have lately returned from Odessa with full powers from such of their companions as have still money to receive in their former country, in order to terminate their affairs. They have brought letters from emigrants to their friends who have remained at home, of which copies are in circulation in the kingdom.

14. Pipes are now laying down in the principal streets adjacent to Covent-garden, preparatory to the whole of the parish being illuminated with gas.

On the 15th ult. the port of Cronstadt was entirely free from ice, and 50 vessels had arrived there since the opening of the navigation.

Newfoundland papers have arrived to the 12th ult. They state that the seal fishery had been uncommonly successful. Between

40 vessels were employed from St. John's, and 162 on conception-bay.

accommodations are prepared board a vessel at Gravesend conveying to St. Helena on and a priest, to attend inaparté. Two or three ics, among whom is a proceed thither also, to be to the establishment at ood.

A private letter, received ay by a respectable house city, states, that an intend-irrection of the Georgia had been discovered and ed. The following is an :

Augusta, May 6. A plot of ction of the blacks of this nd surrounding country, digested, perhaps, as that Domingo, and which was been executed on Saturt, but for providential ince, was yesterday fortu-discovered, and many of leaders are now commit-trial, and will probably ect the awful sentence awaits them."

We are happy to state, rt of the master manufac-have agreed to give 8s., 10s. per cut of ginghams, and 13ths, instead of the ics, averaging about 1s. e on the cut. All the en are actively employed ing the webs which they un previously to the turn-us manifesting their entire ice to the law; though it rstood, that they have ex-their determination not inue in the employment : who refuse the advance,

after the present work is finished. — *Carlisle Journal.*

21. On Whit-Tuesday a fight took place at the village of Twerton, near Bath, between two brothers, named Wiltshire, of the adjoining parish of Newton. One of them had been knocked down, and the other was in the act of kicking him, when a man, named Ashley, touched him by the elbow, and said, "Don't kick him; for if you do, you will kill him; it is a shame for brothers to be fighting;" at which, Wiltshire turned round, and vociferating to Ashley, with a tremendous oath, "I'll knock your brains out, or any one who takes his part," instantly struck Ashley a violent blow under his ear, who fell to the ground, never to speak again; and, after lingering till the following Friday, he died. The coroner's jury who sat upon the body returned a verdict of "Willful Murder," against Wiltshire, who has been committed for trial.

Liverpool, June 21. — Among the arrivals yesterday at this port, we were particularly gratified and astonished by the novel sight of a fine steam ship, which came round at half after seven, p. m. without the assistance of a single sheet, in a style which displayed the power and advantage of the application of steam to vessels of the largest size, being 350 tons burden. She is called the Savannah, captain Rogers, and sailed from Savannah the 26th of May, and arrived in the Channel five days since; during her passage, she worked the engine 18 days. Her model is beautiful, and the accommodation for passengers elegant and complete.

This

This is the first ship on this construction that has undertaken a voyage across the Atlantic.

30. On Monday morning a gang of desperate villains entered the premises of Messrs. Bland and Weller, music-dealers, and Mr. Alvey, goldsmith and jeweller, of Oxford-street, near Rathbone-place, but were fortunately detected in their perhaps murderous career, having loaded fire-arms, &c. in their possession. Mr. Alvey, on Sunday night last, retired to rest, with his family, but had not been long in bed when he heard a noise, which rather alarmed him, and concluded that mice were busily employed in the walls, and it being rather dark he refrained from getting out of bed. He fell asleep, but shortly afterwards was awoken by another noise, which appeared like bricks falling from the wall. He immediately alarmed his family, and he listened for a short time, and plainly heard the discourse of some men, from which he was convinced their lives were in danger, and he scarcely had time to cross his apartment, when the wall of the room broke in, and he perceived a man's arm; he made use of some exclamation, and ran to inform the watchmen, who immediately came to assist. They stationed themselves, some at the back and others at the front of the houses of Messrs. Bland and Co. and Mr. Alvey, while others went into the House. One of the watchmen heard a noise at one of the shutters, to which he placed his back; but shortly after, he with the shutter was thrown down, and two of the villains rushed out; one ran towards So-

ho-square, and the other towards Rathbone-place, pursued by watchmen, and they were taken into custody. They escaped the back way, turning to the house, and the hat of one of the thieves found by the side of an aperture which would admit of the man's body, through a brick wall, into Mr. Alvey's house. A phosphorus box, mattock, crow-bar, screw-driver, a false key (which opened the doors), a brace of loaded pistols which lay in readiness in detection; and in their pocket a powder-case was also found. Some property ready packed. They were taken to the house, and yesterday morning were carried to Marlborough-street office for examination.

JULY.

Earthquake in India. [From the *Bombay Gazette*, July 1st.]

We hasten to lay before our readers a selection from the numerous communications we have received respecting this visitation. It was slightly felt at Poonah, and we believe did not reach to the southward of that city, or extend much beyond the tropic.

Camp, Bhooj, June 1st. At seven o'clock on the evening of the 16th of June, an earthquake destroyed the whole district of Kutch; accounts have been received mentioning that from Luckput Bunder to Bombay the whole of the towns and villages are more or less injured. The towns of Mandavie,

and Anjar, have suffered
ively and severely : but the
f Bhooj, and the fort of
a, between which our force
amped, are reduced, the
to ruins, and the latter so
ed as to be useless as a
ation. This, however, is
st part of the evil : at the
it of the crash, it is appre-
l, and I fear not any way
rated, that 2,000 of the
ants were buried in the

a now the effects of this
visitation are felt (though
lays since the first shock)
stant and hourly vibrations
earth. The inhabitants
een obliged to forsake what
nce their halls, and encamp
: upon some small hills.
distress cannot be well de-
l; bruised, maimed, and
d with fear, they go daily
e city to work upon their
houses, to try and extri-
he mangled remains of
children, and relations
in their pious labour the
stench nearly exhausts
cattle, which have fallen
abers, add greatly to the
ie evil. The walls, from
idy nature of the stone, are
led in a mass, and the nar-
reets of Bhooj entirely lost,
lding to the difficulties of
ferers. The upper stones
palace fell, and buried,
st others, the mother of
posed Rao. What houses
are so shattered as to be
o fall in the ruins ; and the
omplete wreck of the wall
southern side, as well as
molition of nearly all the
and gateways, render it

impossible for Bhooj to be a city
again. The loss of lives cannot
be confined to the city. I fear,
in all the towns and villages,
mortality has been great. I am
inclined to think, from the cir-
cumstance of a volcano having
opened on a hill, 30 miles from
Bhooj, that the country will not
experience a repetition of the
evil.

From our camp being in a
plain, no very material damage
has been sustained ; the tiles of
a few temporary-crected houses
were knocked off, and the walls
shattered.

I shall attempt to give you the
sensation felt by those both in
camp and city. In the latter, I
was informed by a gentleman,
who nearly suffered by a house
falling over him, that, riding on
without an idea of what was to
happen, upon the first notice, a
heavy, appalling, deadened noise,
the motion of the earth, walls of
the houses on each side of the
street tottering and falling out-
wards, impressed upon him an
idea, and he called out, that a
mine was sprung ; whereas, an-
other gentleman imagined the
bank of the Tank was forced by
the water ; these ideas were ac-
companied with an unpleasant gid-
diness of the head, and sickness
of stomach, from the heaving of
the ground.

In camp, a similar sickness and
giddiness were experienced ; and
in ignorance, until the shock was
over (which lasted a minute), of
the nature of the noise below the
earth, some sat down instinc-
tively, others threw themselves
down. One was paying work-
people in a circle, and upon seeing

ing him squat, the whole followed the example, and sat round him, "the very picture of despair." The sensation I felt was, a giddiness and horror at perceiving a small hillock, close to which I was riding (a short distance from the camp), completely agitated, and at the same time my horse plunged, from the ground moving. This was the case also with an officer I was riding with.

I have on inquiry ascertained that, many years ago, and in the remembrance of the oldest inhabitants, an undulating motion had been felt before in Kutch; but never, I hope, will again be attended with such a horrible catastrophe; the distress of which has been so great upon the inhabitants, that I confess I fall short of ability to describe it.

Translation of a letter from a respectable native to a correspondent at Baroda, dated 18th June, from Isoria:—

"I have sent you a letter, and given you an account of every thing that has occurred here. Yesterday, the 9th of Jest. Vud (the 16th of June), in the evening, a noise issued from the earth like the beating of the Nobut, and occasioned the trembling of all the people. It appeared most wonderful, and deprived us all of our senses, so that we could not see; every thing appearing dark before us, a dizziness came upon many people, so that they fell down. The walls of the fort of Isoria, in many places, were completely overturned, and the guns fell from the bastions; the inhabitants ran home to their houses, many of which fell down. For one hour this remained; the

buildings in the town, some fell, and the others appeared as if falling; the walls of the fort that remained after the first shock, appeared in a ruined state. For an hour and a half the inhabitants did not know each other; after that time all was hush and still, and we then returned to our houses; at night a trembling seized our bodies, and on Wednesday morning some horsemen who arrived, came to me and reported, that in the fields the earth opened and threw up water; to see which I went there, and such was the case, and the water came up from the earth in many places, and it appeared like the rushing of water when drawn from a well; it remained all night in the fields, and in three or four places the earth had given way, and sunk 100 feet in depth, which space was filled with water. Many of the wells, which had before this plenty of water, were left empty; and many pools, that formerly were dry, were now filled with water. The like of this was never heard or seen before. When I returned into the town, the inhabitants reported to me, that during my absence the earth again was shaken; and when I was washing my body afterwards, I felt two or three violent shocks again, and the house I was in was much shaken. After this, people did not seem willing to remain in the town; I therefore left it, and encamped one coss off. I received accounts from Nowanuggar, that the forts of Balumbo and Amraw have fallen down, and some people had died, as had likewise some cattle. The same has occurred at Junkaria.

I have

received the news from the
round for 16 coss; and
the Run, at Joo-nah
, the same has also hap-

is is the wonderful decree
ighty God, which I do not
and. For your informa-
have written this small ac-
all that has occurred it is
ble to describe. To-day,
a twelve and two o'clock,
me has happened. On
sday night, some people
that the earth was again

I have this moment re-
accounts from Moorvec,
e same has occurred there;
ne of the houses and part
walls of the fort have fallen,
e people suffered great

I do not know to what
damage has been done."

near Bhooj, June 17. We
resent in a shocking state
n. Last evening, between
d seven o'clock, we were
by a dreadful earthquake.
ll that surrounded Bhooj
st levelled with the ground,
e few towers which are left
g are merely broken re-
the houses generally un-
others in ruins, and most
large buildings, including
lace, greatly injured; the
the Hill-fort is down in
laces, and there is a com-
reach near the gateway.
ght of our camp rests a
istance on the left of the
fronting the town, and ex-
long the bottom of the hill
le beyond the large tower
south-west point. I am
to say, that we have had
aterially hurt, four Sepoys
uised, who were on duty

in the town; but I fear that a
great many casualties have oc-
curred among the poor natives;
some hundreds are said to have
lost their lives. There is at pre-
sent so much confusion, that the
numbers cannot be ascertained.

We had several shocks during
the night, and they have continued
at intervals this day; the last one
about two hours ago, when I
could scarcely keep upon my
legs; the sensation is horrible
while it lasts. They have suf-
fered, we understand, in the same
way at Anjar.

P. S.—Three, *p. m.* There is
a slight shock at this moment. I
trust in God they will cease alto-
gether.

*Extract of a Letter from a
Correspondent at Baroda, dated
June 26.*—On the 16th, about
seven o'clock, *p. m.* the whole of
the city and around it were
thrown into the greatest conster-
nation, by a very severe shock of
an earthquake, which continued
without intermission between two
and three minutes. I was at a
friend's at the time; we were sit-
ting in his upper bungalow, which
rocked so violently, I really
thought it would have fallen be-
fore we could get below stairs.
The next morning, about eleven
o'clock, we experienced another,
though slighter, convulsion.

On the 18th we felt two more,
one at eleven, *a. m.*, and the
other at twelve at night: and on
the 20th we also had two more
shocks: God knows if it is yet all
over. It appears to be going
from the south to north. At Pal-
lampore it was accompanied by a
noise in the earth just like thun-
der.

Its

Its ravages at Ahmedabad have been considerable. The two large Minarets near the Jumah Museed in that city, are overthrown. One of the gates in the town has fallen down, and nearly 300 houses. The fort of Rampoor, near Pullgarde, is nearly demolished.

Extract of a Letter from Anjar, dated June 17.—It is with sincere regret that I have to inform you, that this place was visited by an earthquake yesterday evening, at ten minutes before seven o'clock. The effects of the shock, which lasted nearly two minutes, have been the levelling of the fort wall to the ground; not 100 yards of the wall remain in any one spot; and guns, towers, &c. all hurled in one mass of ruin.

The destruction of the town has been distressing and awful; not a quarter of the houses are standing, and those that do remain are all in ruins. I cannot yet state the particulars of the losses; but I may in one word say, that a flourishing population has been reduced, in one moment, to wretchedness and misery. I fear we shall have to lament the loss of upwards of 100 people, besides those hurt.

Stockholm, July 9.—"The 5th of June was a dreadful day for Jonkoppings Lau, and especially for Bryarums Soeken, belonging to the parish of Tofferyd. It is the custom there to cut down trees, to let them lie on the ground to dry, put fire to them, and burn the ashes for manure. Some negligence had taken place in performing the operation, and the long-continued drought, and a high wind, occasioned the fire

to spread, till at length the forests were in flames. The inhabitants of several d^{ist} assembled, and exerted selves with the most des courage to stop the prog the conflagration, the sever rests, and a great quan corn, were burned, an churches and several place threatened with destructi is impossible to picture the and injury caused by this. Two entire farms, with t plements of husbandry, &c destroyed. The value of rests reduced to ashes i mated at 90,000 dollars and that of moveable eff 4,500 dollars."

Paris, July 8.—The ordinary *fête*, which was son announced, at Tivoli, too on Monday night, and ha signalized by a frightful trophe. Among the nu entertainments which had promised to the public w ascent of Madame Blanch a luminous balloon, ornar with artificial fire-works, cordingly, at half past ten o this intrepid aeronaut, dre white, having also a wh with feathers, entered th The signal being given, t loon rose gently, but by th out ballast, Madame Bla caused it to ascend more r The Bengal fire-pots illu this brilliant ascent. The naut waved her flag; and resounded with acclam Suddenly the balloon en light cloud, which com extinguished the fire-pots dame Blanchard then igni artificial fire-works, whic

the effect expected, when of the flying fuses were direct themselves perpendicularly towards the balloon, a fire communicated with it. A frightful brilliancy struck terror into all the eyes, leaving no doubt of the horrible fate of the aero-

impossible to paint what at this moment at Tivoli. A cry of agony burst forth in all directions; a great number of persons suffered violent nervous attacks; and consternation reigned upon the countenance of every one.

The gendarmes instantly galloped towards the place where it happened, and she would fall, and the body of Madame Blanchard was, in a quarter of an hour, conveyed to Tivoli. She was at a height of more than 1000 feet, in the rue de Provence, the body was still in the air, being caught in the cords of which it was attached to the balloon.

It need hardly add, that at the general command all the spectators ceased, and that no more fireworks were played off. The action was instantly opened up by Madame Blanchard's

The unfortunate woman was about 45 years of age.

The number of suicides attempted or executed in Paris during the months of January, February, March, and April last, was 124, of which 33 were females. Among them were 10 married, and 60 married women. The greater number terminated their lives by the use of fire-arms, charcoal va-

pour, or by drowning; among the latter there were 46. Of the entire number, 53 destroyed themselves from a disgust of life; the remainder, in consequence of derangement in their affairs, misconduct, play, and debauchery. Comparing this period in the present year with the corresponding period of the last year, there appears an increase in the present year of 41 deaths.

Lausanne, July 9.—The Federal Diet was opened at Lucerne on the 5th instant. The different legations attended divine service, each in the church of its own confession. They proceeded then to the hotel of his excellency the president, near the church of the Jesuits. After the deputies, in the presence of the foreign ministers, had implored the blessing of heaven on their future labours, the president addressed to them a discourse full of eloquence and patriotism. The different deputations then took the federal oath. They then proceeded to the hall of the Diet, which was solemnly opened by a second speech, in which the president, after drawing a picture of the present state of the confederation, both in its external and internal relations, pointed out the objects which would afterwards occupy the attention of the assembly. The deputies of every canton then communicated individually to the Diet the wishes and sentiments of their high constituents.

10. Yesterday morning, about three o'clock, the gaoler of the Borough counter was alarmed by a knocking at the gate of that prison, upon opening which he was

was told by a neighbour, that a prisoner, heavily ironed, had fallen from the top of the prison and broken both his legs. Upon going to the spot where the unfortunate person lay, the gaoler found that he was no other than Williams, whose desperate attempt to get away when pursued for robbery, was frustrated by the spirit and sagacity of a Newfoundland dog, that leaped into the river after him. The greatest surprise seized all the persons connected with the prison, the security of which, particularly in the place where Williams was confined, was considered the very strongest. Williams was carried in agony to Guy's hospital. Alderman Joshua Jonathan Smith found, upon examining the prisoner and the gaolers, that the prisoner had been locked up at the usual hour the night before; that the prisoner had contrived to remove the iron bar which was fastened across the hole through which light and air were admitted, and got over a number of spikes, supposed to be impassable to any animal above the size of a cat; that he then contrived to reach the top of the prison, and tied a rope, which he had made of the matting on which he used to sleep, round the chimney, and was letting himself down, when the rope broke, and he was dashed to the ground.

10. *Union Bridge on the Tweed.*—The foundation of a suspension bridge over the Tweed was laid on Monday se'nnight by Wm. Molle, esq. of Mains, Chairman of the Meeting of the Commissioners of the Berwick-road trust. A bottle, containing the

coins of the present reign, and a Berwick newspaper, were deposited in a cavity of the stone. The inscription on a copper-plate includes the name of Mr. Molle, and the date of the foundation. It also records the name of the inventor and contractor, Captain Brown, R. N. The Chairman addressed the Meeting, and in the course of his speech he made the following important observations on the nature of the intended structure and its comparative cheapness:—"I consider this species of bridge to be the commencement of a new era in the progress and improvement of the arts. The substitution of iron in place of wood, in various arts, has been deemed a capital improvement, but it was reserved to the present ingenious inventor of the iron-bar bridge of suspension to be the first to apply bars to the construction of works of this nature; and, if the present attempt should succeed, I may venture to predict, that bridges of this kind will become general throughout the kingdom, for they can be erected in a shorter time and at a much less expense. A suspension bridge would have cost at least 20,000*l.*; whereas the present bridge (the span of which will be about 430 feet), is only to cost 4,900*l.*, not a fourth of the expense of the other."

13. *Explosion of a Steam-boat.*—A serious accident of this nature happened on Monday night at Grangemouth. The steam-boat *Stirling*, Captain Macfarland, having undergone repairs, was preparing to start from the harbour for Newburgh, when, in consequence of

valve not being opened
ntly to allow the escape of
umulating steam, the boiler
ed, and nine persons were
or less scalded, three of
severely; but although a
r of passengers were on
and many people on the
opposite at the time, pro-
ally no lives were lost.

On Sunday last, the town
eham was visited with the
wful storm of hail, accom-
with thunder and light-
ver remembered by the
nhabitant. It commenced
o'clock, and continued

ttle intermission till near
th dreadful violence. The
of ice which fell during
me weighed from one to
nces, causing devastation
fields and gardens within
umference of their fury.
s scarcely a house in the
bat escaped without the
several panes of glass; and
remises in more exposed
ns have individually sus-
damages in broken glass
ing from 20*l.* to 30*l.* At
um and the neighbouring
, the immense pieces of
ich fell have done consi-
damage to the hot-houses
L. Bircham, esq. Sir R. P.
ll, and many others in the
urhood, and also to the
s of their dwelling-houses.
omfield, of Spurham, had
nes of glass broken, and
ividuals from 10 to 40;
most serious effects, it is
have been produced to the
t crops. The stems of
a many places are com-
cut through by the vio-
of the hail; and the tor-
LXI.

rents of rain have, in several in-
stances, swept plants, soil, and
manure, entirely off the turnip
lands; carried away fences which
have stood beyond the memory
of man, and ploughed up furrows
in the roads, in some places to the
depth of two feet. Several of the
farmers who viewed with satisfac-
tion and gratitude their ripening
crops in the evening, had experi-
enced a damage in a few hours
to the amount of from 100*l.* to
600*l.* each. Many of the houses
in Reepham had 3 feet of water in
them, and their articles of furni-
ture floating about.

13. *Paris*.—A great number
of private letters and several
journals of the departments con-
tinue to give frightful accounts
of the disasters caused by the late
storms. On the 7th instant, a
hail-storm laid waste Malleroy, in
the arrondissement of Montargis.
On the 9th, almost all the arron-
dissement of Rambouillet was de-
solated. Hail-stones fell as large
as five-franc pieces. On the same
day, the plains of Limours, Gomez,
and Sarclay, in the depart-
ment of the Seine and Oise, ex-
perienced a similar calamity. We
are told that the vines have
cruelly suffered in the Cote d'Or,
and at Vraison; and in the neigh-
bouring communes, in the de-
partment of the Lower Alps, the
hail exercised equal ravages. The
crop of olives, of grapes, and of
corn, is entirely destroyed.

15. *Holyhead*.—"The Talbot
steam-vessel, which arrived here
this morning from Howth, took
fire, whilst lying close to the pier;
but by the great exertions of the
persons then present she was
saved from total destruction. A

considerable part of her deck, however, has been cut away, to prevent the fire spreading. A poor fellow, who was employed in this work, had his finger chopped off in the hurry and confusion inseparable from so alarming an accident. The vessel has, fortunately, in this instance, been saved, as it was perfectly calm; had there been a breeze, she must have burned down to the water's edge."

Lynn.—During the dreadful thunder-storm on the evening of Monday se'nnight, the electric fluid struck the top of Sedgford steeple, on the west side, and precipitated to the ground several stones of considerable magnitude, making a breach in the wall of about a yard square. The lightning also passed through the church, entering it at a window near the porch on the south side, and after crossing it in a north-east direction, it made its escape at two places in an upper window, near the chancel on the north side. An evening school was held previous to the occurrence of the above accident, which happened about nine o'clock in the evening. The dismay occasioned by the awful conflict of the elements may be better conceived than described; the children rushed out of the church nearly in a state of distraction, uttering the most dreadful shrieks—parents in search of their children—the incessant and vivid flashes of lightning, succeeded momentarily by dreadful peals of thunder, accompanied with torrents of rain and hail, such as were never remembered by the oldest inhabitants, formed a scene truly

terrific. A girl, about of age, the daughter of Nobes, was left in the room, and on being mis- father went in search when, on entering the found her lifeless on the floor. Fear is supposed to have been the cause of her death, as there was no appearance of the fluid having entered the few pieces of mortar detached from the ceiling, all probability was effected by the shock communicating to the steeple, or by the concussion of the stones falling to the ground.

16. The emperor of Morocco, Muley Soliman, lately assembled a corps of troops behind the mountains of Tedla, for the purpose of compelling the revolted inhabitants to pay tribute. Scarcely had he assembled, when those who are called Muley Soliman's taineers who are called surprised the Emperor's night. The black guard prince was almost entirely destroyed. His treasures at 400 quintals of silver, of his women, his privy and his baggage, remained in the hands of the rebels. The governor of Tangiers, d wounded; and Muley the Emperor's eldest wounded in the head. For ten days young prince, it is said, to Fez through the of some Moors who his flight. For ten days peror himself was supposed killed. He found his way ever, in disguise, into Mequort by a single Moor, with the rebels, and who been the first to enter

tent, informed him of his
nd procured him the means
aining his capital amidst
atest dangers.

Quebec.—*The Lumber Trade.*
quantity of lumber in the
Quebec is now greater,
erstand, than at the same
of any former year, ex-
; 1811. The tonnage of
ssels arrived already ex-
he whole tonnage of 1816.
ssels are loading with the
t expedition to make two
and to facilitate them in
; the Telegraph steam-
s been employed in towing
ts to their respective sta-
which she effects with the
t ease when the tide is in
our. The season has con-
favourable since the cold
at the close of May.
me apparent alteration in
nate of this country is ob-
this year as last, relatively
more southern parts in the
ig countries. There has
ore snow and frost late in
ng, south of Lakes Ontario
e, and along the Atlantic
even to Virginia, than
uebec. The time of the
-in-leaf and blossoming of
es has been nearly the
roughout the whole tract
try just mentioned. In
ghbourhood, so far, there
y prospect of abundant
f hay and grain.

the 28th instant, the
and Yarmouth mails will
veyed in a patent mail-
which will travel so much
than the usual mode of
ance as to enable that
o answer letters one day

earlier than heretofore. The mail
leaving London at the usual time,
will arrive at Yarmouth at 11h.
40m. the next morning, and de-
part at 3 the same afternoon.
Yarmouth is 124 miles from Lon-
don, and it will be the only town
in the kingdom at so great a dis-
tance enjoying such accommo-
dation.

Winchester.—The General Quar-
ter Sessions of the Peace for this
county commenced on Monday
last at the Castle of Winchester,
before sir Thomas Baring, bart.,
and a full bench of magistrates.
The report of the visiting justices
was read, and the court resolved,
upon their recommendation, that
children, not at the breast, should
not be admitted with their mo-
thers into the gaol Bridewell.

19. By an act passed in the
last session of parliament, which
has been in force since the 5th of
July, the power of inflicting pe-
nalties in cases where fabricated
pepper may be found upon any
premises, was transferred from
the customs to the excise. This
power, which never was acted
upon in the customs, has been
attended with very important con-
sequences in the hands of the
active agents of the excise. The
moment the act passed, barrels of
fabricated pepper began to roll
into his majesty's warehouses.
One officer seized eighteen hun-
dred weight; another seized fif-
teen hundred weight; and the ut-
most confusion has been occa-
sioned amongst the ingenious fa-
bricators, who have been making
fortunes by this manufacture.
The new whole pepper is made
up of the hulls of mustard-seed,
E 2 glue,

glue, and chalk, and a certain quantity of stuff called P. D. The profit derived by the manufacturer, upon each pound, is 2s. 4d., and the sale has been most extensive, the proprietors, who are now in jeopardy, having all of them respectable characters, and being men of active, industrious, and as would appear from the speculations in which they were detected, enterprising habits.

The penalties affixed to the offence bear a fair proportion to those inflicted upon dealers convicted of selling other spurious articles, by which the health of the community may suffer. The prosecutions are to come on in November, in the court of exchequer.

The seizures of spurious pepper already made amount, if estimated at the rate of sale made by the manufacturer, to an immense sum, that rate being 3s. 6d. a pound; if upon the utility of the article in substituting real pepper, to little or nothing. The P. D., which composes the greater part of the materials, is sold at 4d. a pound.

Ten communes, in the arrondissement of Montargis, were desolated in the night of the 7th inst. by a tremendous hail-storm, accompanied by thunder and lightning. Every thing was destroyed for the space of 20 leagues; the stoutest men were struck with the greatest terror: within the memory of man, it is said, there has not been so entire a destruction. Sixty hours after the dreadful catastrophe, hailstones were found of the size of

an ordinary egg. The damage estimated at 4,000,000 fr. (upwards of 170,000*l.*) have been dreadful storms at several other quarters. In Sevres, a space of seven leagues was desolated by hail, which on the ground to the depth of three or four inches; two hailstones weighed 12 oz. There have been similar storms in the neighbourhood of Bourges and Alençon.

23. *Rome*.—The Baron de Mohr, who resides in a country house within about 400 paces of the town of Olevano, received some time since a very disagreeable visit. It was evening, and the Baron was sitting in company with only his son and the painter Saladee. Suddenly the door was thrown open, and a man, covered with a mantle having a red silk handkerchief twisted round his hat, entered and asked where was the Baron. He, suspecting danger, motioned to his companions, and they replied, that he would go and fetch the baron. Leaving the door open, he encountered at the door a man armed with muskets, but he saved himself from them by flight, and arrived at Olevano in search of assistance. The pontifical guards, however, were rather slow in their movements, and the robbers succeeded in carrying off the painter and young Baron. They were taken to about a distance of a league in the neighbouring woods, where they found all the robbers united, in number about 50. They were young men, few of them being above 20 of age, having very beautiful

uniforms, with very rich and diamond ear-rings. The captain of the band bore also a golden cross suspended to his neck.

The robbers, on the following day, sent a message to Olevano, saying they should require a ransom of 10 scudi for the baron's son; for the poor painter, said they any one shall have him for 10 scudi. During the negotiations the 2 prisoners were very much distressed, but they were frequently told, "If you make the least noise, or the least signal, I will shoot you: it is necessary for the example." The painter was obliged to make portions of the entire band. After the ransom of the young painter was fixed at 2,000 scudi. The robbers on parting with him, embraced him, and the captain, taking him in his arms, said— "Remember me to your son, the remembrance of me is engraved in my heart. I shall never forget you. I hope I shall meet at Naples."

Stockport.—Last evening, a quarter before 10 o'clock, a man Birch (who is assistant constable of Stockport, and who has made himself obnoxious to the reformers by having taken sir Charles Wolsely to custody, and also from being sent to London with a non-warrant against Harrison) having brought Harrison to Stockport, the circumstance became known, and a considerable crowd assembled round the house, where his prisoner was secured. Several threats

had been made by the mob that they would pull Birch's house down and liberate Harrison, Birch

felt it prudent to consult the Rev. Mr. Prescott (a magistrate) as to what course he should adopt with regard to his prisoner, under the circumstances. On his way to Mr. Prescott's, and within a few yards from that gentleman's house, Birch was accosted by a man who calls himself Joseph George Bruce (a person not much known in Stockport, but who states that he came lately from London, and last from Dublin, and who has been for a few weeks assistant to Harrison in his school of reform, and is also designated as secretary to the Stockport Reform society.) This man entered into conversation with Birch, and two other persons in Bruce's company joined them. Bruce kept Birch engaged in conversation, and breastfed him so as to prevent his going on, and the other two were passing towards Birch's rear, who then began to feel himself unsafe, and meditated a retreat; particularly so, as a considerable crowd were very near them: however, before he had time to decide on any step, one of the two men fired a small pistol, the bullet from which passed into Birch's breast, about the pit of the stomach, and took a sloping direction towards the right side. Birch screamed and leaped over the garden-wall of a Mr. Lloyd, and reached the house of Dr. Killer before he fell; the three men then fled. The ball has not yet been extracted, but hopes are entertained that the wounded man may recover.

Three men (one of whom is Bruce) have been taken into custody, and have undergone a long examination this day before the Rev.

Rev. C. Prescott, J. W. Tatton, and P. Marsland, esqrs.; two of them, viz. Bruce and a person of the name of David Davies, (who was one of the three present when the shot was fired), are remanded; the third has been discharged. The person who fired the pistol has not yet been identified, from the state of the wounded man rendering it not advisable he should be disturbed.

A troop of horse marched into Stockport very early this morning, and the town remains quiet at this hour.

Leicester.—The Frame-work knitters of this town and county, with few exceptions, have struck for an advance of wages. On Monday they assembled in a large body, amounting to about 3,000, and perambulated the principal streets in regular order, without evincing any disposition to riot or tumult—a practice which they have continued up to yesterday (Friday). They were joined on different days by parties from the neighbouring villages, women as well as men. Several of the latter carried poles, with various inscriptions written on paper appended to each of them; the following were amongst the number:—"Let those in prosperity consider us in adversity." "The Statement, or work no more." "Pity the Distressed." "We perish with Hunger."

27. On Tuesday morning last, owing, it is reported, to some neglect or mismanagement regarding the safety-lamps in the Sheriff-hill pit, at Gateshead, near Newcastle-on-Tyne, a dread-

ful explosion took place, by which nearly 40 persons have lost their lives. Had the accident happened an hour later, it is said about 100 persons would have perished. Eighteen of the unhappy sufferers have been interred in Gateshead church-yard, and 14 in the chapel yard; the remaining bodies have either been given to their respective friends, or are not yet taken out of the pit. Amongst the poor unfortunates, were three boys from Whitehaven, who had been taken there by their mother, and obtained work, but were soon after dismissed; their parent subsequently applied to those in management, and again obtained employment for her children, just in time to share the melancholy fate that has befallen their fellow-sufferers. The same pit, we believe, exploded about four years ago, when considerable damage was done.

On Tuesday, a numerous meeting of the weavers, spinners, and other work-people employed in the blanket manufacture, was held in the market-place of Heckmondwike, to confer with the masters, and to explain to them the nature of the union. The speaker on this occasion was a person of the name of Rhodes, and in a speech of considerable length, he explained that the union in which they were engaged related merely to matters of trade, and was wholly unconnected with politics. A considerable number of master manufacturers were present, but no definite agreement was entered into. Some houses, we understand,

have already resumed their work at the new rate of wages, a large proportion of the ruffians were entirely at a stand.—*Mercury.*

On Monday evening, a disgraceful and daring scene of plunder took place at the fair, Hampstead. The number of the ruffians have been estimated as high as 200. Many of them were armed with bludgeons and those who were not, were armed with the trestles of the stands upon which they defended themselves against the police-officers and constables whom they over-powered. One of them was yesterday stated to be in danger of being killed during a ring and outrageous contest principally between 6 o'clock, when every person who entered the two entrances to the fair were the fair is held, was armed and rifled. Numbers of the pockets could not be easily, had the skirts of the coats cut off, and the pockets of the small-clothes turned inside out. The conduct of these ruffians towards the females was brutal, and compelled them to hear the most distressing and screams. Their arms held up, their clothes cut, every article of wearing-apparel torn from them. To effect their seditious purposes, the villainous have been estimated to have gangs of 10, 20, 30, 40, and as high as 50.

Bow-street.—In consequence of the outrageous daring of disorder, robberies, and ill-treating of a great number of persons at West-end fair Hampstead, on Mon-

day evening and during the night, an additional number of constables belonging to the above office, as well as officers from Hatton-garden office, were ordered to attend for detecting and apprehending the offenders. A number of the inhabitants of Hampstead were sworn in as special constables by Mr. Cartwright, the magistrate of Hampstead, to assist the regular police on Tuesday evening. Notwithstanding the increased number of the police, they were not equal altogether to cope with the villains, who assembled in numerous bodies, armed with bludgeons and other weapons, acting in a more daring and outrageous manner than on Monday. The ruffians were divided into gangs, and were estimated at more than 150. Not satisfied with obtaining the property, they beat and otherwise maltreated the persons of their victims. Money was not sufficient; they deprived those who came under their grasp of even their wearing apparel, and left them nearly naked. Hats, shoes, coats, handkerchiefs, all were considered as booty by these rapacious wretches. Nor were the disgraceful scenes of riot and plunder confined to the fair. Similar acts of violence and depredation were practised in the fields and on the roads in the vicinity. The police, by great exertion and at much personal risk, succeeded in securing thirty of these miscreants, the strength of two gangs; one of which consisted of about a dozen, and the other of about twenty. They apprehended them in the booths.

These

These gangs yesterday underwent an examination before Mr. Hicks, but as many of the persons who had been attacked were unable to attend, all the evidence against them has not yet been collected. The examination occupied the magistrate till 5 o'clock. The smaller gang, consisting of 11, were first put to the bar.

Thomas Hunt, a constable of Hampstead, being first examined against them, gave a general description of their conduct at the fair, in robbing, knocking down, stripping and beating, the weak and defenceless, with every aggravation of inhumanity and brutal outrage.

James Friend, a plumber in Chelsea, gave an account of the treatment he received at their hands. He walked with a friend to West-end fair, about 9 o'clock in the evening of Tuesday. As he was passing a field near the fair, he was attacked by a gang, amounting, as he thought, to 17. The first person that seized him by the collar and arm, he was confident, was the prisoner Cassidy. The witness was then knocked down with a bludgeon, and received a stab on the right side, which fortunately was not dangerous. They tore his clothes, and robbed him of a 1*l*. Bank-note.

Thomas Cooke, a printer in Long-acre, identified the prisoner William Burke as one of the depredators. Richard Hinds, one of the larger gang, was charged with assaulting and wounding a Mr. Clarke, who appeared to give evidence against him. Several others of the larger gang were identified by those whom they

had attacked or plundered. The constables, likewise, deposed to their outrageous conduct and to their possession of stolen property when apprehended. That of the prisoners against whom charges were brought by proper witnesses were committed. The rest were sent to the watch-house, and are to be brought up to-day for the purpose of being examined, and identified by those whom they have robbed.

AUGUST.

St. Helena, August 7.—Buenaparté is in better spirits than he has been for some time; his health much as usual. Whatever others, of any rank or station residing here, may affect to state concerning him, be assured very little is actually known. He has so long imposed a seclusive life upon himself, that he appears to have at length obtained all the habits of a confirmed recluse. He had become so entirely abstracted, even from the distant view of those whose duty it was to make a daily report of his being alive, that it became necessary to inform him, that if he did not voluntarily afford the officer on duty an opportunity to certify the fact required from him, namely, that he was "alive," there would be a necessity of the officer's making a daily personal visit to him for that purpose. He has since relaxed in his manners in this respect, and has been out of his house a little. The new house building for him is expected to be finished in about nine months,

The island is generally
An inquest was held at
an's, before Isaac Piggott,
man, Coroner for that
h, on the body of Mr.
a Hart, who unfortunately
life by the overturning of
dyhead mail-coach on the
ing Tuesday night, and a
of Manslaughter was
not only against Thomas
r, the driver of the Holy-
mail, but against George
the coachman of the
r-mail, who were racing
ainst the other in a furious
; when the coach was over-
he deceased was church-
f Hagley, near Stourbridge
orcestershire, and was on
urn from London, where
been on a visit to some of
atives. Mr. Thomas Ar-
bootmaker in Cheapside,
the coach-box at the time
accident, and had his left
ribbly shattered and his
rm broke above the elbow,
now lies at the Woolpack-
th some hopes of recovery;
o other of the passengers,
were hurt severely in the
re pronounced out of dan-

The port of the town of
l, which in 1817 was de-
free by an ukase of the
or of Russia, was opened
ing ships of all nations.
We learn by the return of
fartar (Commodore Sir
e R. Collier, bart. and K.
from the coast of Africa,
rinces-island, near to the
of Biafra on the Guinea
is now the principal, and
the only point of rendez-

vous on that part of the coast of
Africa, for the dealers in slaves.
Spanish and Portuguese vessels
(the only extensive traffickers in
this inhuman trade now) from
Cuba, rendezvous there. On
arrival, the supercargo shifts his
cargo of bale goods and hard
ware into small schooners belong-
ing to the authorities of that set-
tlement, and proceeds to the
Bight of Benin, or Biafra, either
to Bona, Calabar, or Benin rivers.
Here he bargains with the re-
spective chiefs, or kings, for so
many hundred slaves, which are
generally ready by anticipation:
they are now purchased for goods
of the value of 3*l.* 17*s.* to 4*l.* per
head, for children under 10 or 12
years; and above that for 5*l.*;
women of a handsome shape and
appearance are one or two pounds
sterling higher. At Prince's
Island they are landed, and if no
English man of war is in the
neighbourhood, are re-embarked
at 25*l.* charge per head to the
Spanish Captain. If any man of
war is there, they are received
into factories, until opportunity
offers for sending them off to
Cuba. The vessels are generally
schooners (termed American
clippers), bought by Spaniards
at St. Jago de Cuba, and pretend
they are bound to the coast south
of the Line; and to carry on this
deception the better, the Portu-
guese on board the smaller ves-
sels are told, they are anchored
off some port south of the Line,
such as the Congo or Benguela.
The most unmitigated cruelties
continue to be inflicted upon the
poor African race, by these bar-
barous slave-dealers. It is an
astonishing fact, that two slaves
who

who were rescued by a boat's crew of the Tartar and brought on board that ship, belonging to a cargo which had been relanded on the appearance of the Tartar, were weighed by the officers, when it appeared that the weight of the lad was 45, and the man 64lb.

19. *Ghent*.—On Wednesday evening numerous arrests took place in our city. The cause is said to be, want of passports, or the irregularity of them. Among the persons arrested, it is stated, there are military of different ranks and of various countries. Captains of recruiting parties, and a Saxon Baron. A report is spread that the object of the abode of these gentlemen here was, to enlist men for the service of the Insurgents in the Spanish colonies.

Madrid.—General Elio reigns in Valencia. The environs of that city are infested with brigands. Letters from Murviedro, the ancient Saguntum, state that hundreds are immured in the dungeons, and that the cries of the unfortunate persons put to the torture sometimes excite the horror of the inhabitants. The lordship of Biscay has made a strong representation against the conduct of Camp Marshal Longa, a judge of contraband in that province. He has, however, been absolved by a royal decree. The inquisition still prosecutes the Freemasons with great zeal.

20. *Dresden*.—"His excellency the Spanish minister will repair to Court to-morrow in grand state, formally to solicit the hand of her Royal Highness the Princess Maria Josephine, for his

sovereign. The marriage will be officially declared to-morrow, and celebrated, by proxy, the 28th."

21. *Manchester*.—Notwithstanding a strong caution issued by the boroughreeve and magistrates, the populace began to assemble on Thursday night, in considerable numbers, at their old scene of rendezvous, the New-cross. A body of military were sent to disperse them; who immediately on their appearance were attacked with stones and brickbats by the mob; a dreadful conflict ensued, in which two of the populace were killed, and many were severely wounded, who were taken to the Infirmary.

The military succeeded, at last, in clearing the place; but shortly after the routed mob again assembled in Tib-street and the lanes adjacent, and attacked the houses of several persons who have made themselves obnoxious; among others that of a Mr. Graves, a constable. Some Yeomanry at length arrived, and put the rioters again to flight, after which it does not appear that any new outrage occurred.

Rio Janeiro.—On the 12th inst., being the anniversary of the birth-day of his Royal Highness the Prince Regent, the Treasurer and Managers of the Contribution Fund of this city laid the foundation stone of the first Protestant Chapel in the Brazils, in the presence of a considerable number of the most respectable merchants and other British subjects of this place. Previous to laying the stone, the Rev. Mr. Crane read the 24th and 84th Psalms, when a bottle, containing a few English newspapers, and the coins of several

nations of Europe, was
d; after which, the Rev.
ne pronounced the chapel
dedicated to St. George
John, in honour of his
highness the Prince Re-
d his most faithful Majes-
stone was then set in
, and the ceremony com-
by a very appropriate
or the Divine protection
ming on the work that
on.

me.—The famous scheme
g for statues appears to
ed. The researches in
s have now been conti-
weeks, and nothing has
nd. The directors them-
flow, that they have no
n as to any parts where
ours might be successful,
they proceed entirely at

e bust of Caracalla has
nd near Torue-Sapienza,
om the site of the antient
abii. It was there the
painter, Hamilton, found
art of the antiques which
in the Borghese Museum.
anditti of Frosinona still
sch alarm. Within these
s they advanced to the
Tivoli.

lenai-bridge.—The first
f this stupendous struc-
s laid without ceremony
10th instant, by the resi-
gineer, Mr. Provis, and
ractors for the masonry,
Straphen and Hall. When
ed, it will connect the
f Anglesea with the coun-
Carnarvon, and by that
o away with the present
hich has always been one
greatest obstacles in the

establishment of a perfect com-
munication between England and
Ireland through North Wales.
The design is by Mr. Telford,
and is on the suspension princi-
ple; the centre opening is to be
560 feet between the points of
suspension, and 500 feet at the
level of high water line; the road-
way to be 100 feet above the
highest spring tide, and is to be
divided into two carriage-ways
of 12 feet each, and a footway
between them of four feet. In
addition to the above, there are
to be three stone arches of 50
feet each on the Carnarvonshire
shore, and four of the same
dimensions on the Anglesea side.
It is estimated to cost 70,000*l*,
and will probably take three
years to complete it.

25. *Constantinople*.—The last
riot which broke out in this capi-
tal against the Jews was far more
violent in its character than any
which has taken place in the
various towns of Germany. One
of that sect was dragged from his
carriage in open day and stoned:
it is said death has ensued. The
most severe measures are enforced
against the perpetrators of these
excesses; already the secretary
of an advocate, who at the head
of a gang broke into a Jewish
house and demolished the furni-
ture, has been tried and sen-
tenced to rasp dye-wood, which
is the last punishment, except
death, and is even more horrible.

30. *Gibraltar*.—"The fever is
very bad in the Isla and its
neighbourhood; a report has
reached us to-day, that it is at
Tarifa, where it is said two men
got in from the Isla; the street
where they live is blocked up,
and

and we have not heard of its spreading there. It is also reported that some persons at Algesiras have been put into the Lazaretto, suspected of coming from an infected place. The governor of Algesiras (O'Donnell, brother to the Count D'Abisbal) has placed a cordon to prevent people passing from the Isla, and issued a proclamation making the penalty death to any person infringing the edict. The malady is spreading, and I fear will run all over this part of the country. Our communication is not entirely cut off: persons resident at St. Roque are allowed to come in and go out of the garrison. A book is kept by the inspector of strangers at the cordon, containing the names of all persons who are allowed to pass; and those who are not included, if they wish to go out, must apply to the Town Mayor and assign some very urgent necessity. A proclamation to this effect was issued yesterday."

31. *Stockholm*.—"The day after to-morrow his majesty will set out on his tour to the northern provinces of the kingdom. The object of his majesty's journey is to choose the place for the site of the new fortress, which is to serve at the same time as the chief military depot of Norway. His majesty had proposed to the Diet to grant a million of dollars for the purpose, which they were forced to decline, on account of the distressed state of the country. The plan, however, is not given up; and it seems to be nearly settled that the fortress will be near Askersund, between the Wenner and the Wetter-lakes.

We learn that the Emperor of Russia, during his present tour in Finland, will come over the frontier, near Tornea, to examine some of the great iron-works in Sweden. The Governor of North Bothnia will go to meet his imperial majesty and receive him on the Swedish territory. The English general lord Lyndoch has arrived here from Copenhagen. The emperor of Russia will arrive at Abo on the 6th of this month, and after staying there two days, go to the Aland islands. Many persons leave this city every day, in order to be present on the entrance of the emperor into Abo."

27. *Rome*.—"The robbers on the roads near this city continue to range with impunity, and to form the principal annoyance to which travellers are subject. An Italian surgeon, who was taken by banditti a few days ago, was only liberated on his procuring a ransom of 300 Louis: his *cacciatore*, whom he had taken to protect him, was put to death in cold blood in the most cruel manner. A vigorous edict was issued about 14 weeks ago, offering a reward of 500 scudi for every brigand brought in alive or dead, with 1,000 for every capobanda (captain), and ordering the town of Sonnino, which is their chief hold near the Neapolitan frontier, to be levelled with the ground. You will be surprised to hear how vigorously it has been executed. The town of Sonnino has at length found grace in the eyes of its spiritual father, and is no longer to be swept away from among the nations: ten holy friars have been sent to preach to the repentant

unt city, and to cast out
il spirits which are still
ed to be lurking among
while the image of Christ,
l in mourning for the oc-
is to be carried in pro-
through the streets. These
rels carried off a woman
and after using her in the
rual manner, fired at her
rk. You will hardly be-
at the governor of Sonnino
hese miscreants a grand
a few weeks ago, and sat
o table with them, after
previously been obliged
them hostages for their
nduct: many of them are
circumstances; the most
us are said to be boys of
8."

The wolves begin again to
e their ferocity in the
oded environs of the town
onne. In the night of the
f this month two of these
rous animals attacked a
y at Villiers-les-Pots, and
at Tillenay, who were
g their masters' horses in
tures of these communes.
mer of these children, who
eping rolled up in his
was dragged the distance
it 200 paces; but in con-
ce of the cries of his com-
who were also watching
he escaped with only a
wound. The other child,
leeping in the midst of five
ther children, was seized
ie-wolf and dragged 100
nor did she let him go
ie found herself attacked
and men. The child was
y wounded.

Frankfort.—A great num-
the citizens of Frankfort

assembled on the 70th anniversary
of the birth of Goethe, to testify,
in a solemn manner, how highly
they estimated the honour their
city had obtained, by giving to
the world this favourite of the
German muse.

On the eve of the anniversary,
the Frankfort Museum held an
extraordinary sitting, at which
there was a very numerous audi-
tory. Several pieces of music
were executed; speeches analog-
ous to the occasion were deliv-
ered, and some of the immortal
poet's verses were recited. To-
day a numerous company dined
at the Weidenbusch-hotel. The
poet's bust was placed in the cen-
tre of the room, the head crowned
with golden laurels, enriched with
emeralds. There was an inscrip-
tion to the following effect:—
"Homage of admiration offered
to J. W. Goethe, the favourite of
the Muses, by the inhabitants of
his native city, Aug. 28th, 1819."

SEPTEMBER.

1. It appears by letters to the
20th of May from the Cape of
Good Hope, that the Caffres have
been so completely discomfited
in every situation to which they
directed their attacks, that it is
confidently expected they will
be long prevented from making
new aggressions on the British
territory. The scarcity not only
of grain, but of all kinds of pro-
visions, was so great, that the
governor had thought it prudent
to restrict all the inhabitants, as
well as the troops, to certain
short allowances, until the arrival
of supplies from England. In
consequence

consequence of this intelligence, government have dispatched 1,000 barrels of flour to St. Helena, which has hitherto derived its provisions almost exclusively from the Cape of Good Hope.

Whitehaven. — “A tremendous storm from the westward came on here yesterday morning about 5 o'clock, and has continued with little abatement till now, 8 o'clock, Wednesday night. The progress of the tempest was rapid: a vessel off the Isle of Man first felt it about 3 in the morning; it began here about 5, and reached Wigton by 7. The damage amongst the shipping in this harbour and upon the contiguous coast is great. About 7 o'clock the *Content*, *Reed*; *Atlas*, *Black*; *Fortune*, *Hind*, belonging to this port; the *Two Brothers* schooner, belonging to *Ramsey*; and the *Phoenix* sloop, of *Newry*, all ran on shore at the foot of *Lowther-street*, and are lying in a perilous situation; yet, when the gale abates, it is expected that they may possibly be got off. At low water, about noon, the *Content*, *Burns*, of this port, came on shore behind the north wall. The life-boat was immediately manned from the *New-quay*, and sent off to save the crew. On reaching the vessel, all hands, excepting the captain and mate, left her. The life-boat was again manned by a fresh crew, who attempted in vain to reach the vessel, and were obliged to give up the attempt. The captain and mate, seeing the imminent danger of their situation, sent a rope ashore by means of a float, when the boat once more reached the vessel; the

mate immediately descended on board by the rope, but the captain was still determined not to quit his ship, great as was the peril. After the lapse of some time the life-boat was manned the fourth time, and sent off for captain *Burns*, and after much patience and difficulty he was taken from the wreck, under a hearty cheer by the crew, which was instantly replied to by the thousands assembled upon the shore; in a few minutes all landed in safety. The great exertion had scarcely ended, when another vessel hove in sight, and seemed destined to experience the same fate. She was soon known to be the *Thistle*, captain *Adamson*, also of *Whitehaven*. The crew appeared to be using all possible exertion to keep her off the shore, but a short time showed that their endeavours would prove ineffectual, as she neared very fast; and at length her head was pointed directly on shore towards the beach behind the north wall, where, in a few minutes, she struck. The life-boat was again immediately prepared to bring off the crew, who, knowing the difficulty of rowing the boat to the windward, sent off from the vessel a buoy and line, which was brought ashore by some men who spiritedly swam off amongst the surf. In a few moments the boat reached the vessel by this line, and the cheering of the crew told those on shore that all was right, and the whole soon stood on *terra-firma*. Thus the life-boat was the means of saving the crews of two vessels, who otherwise would inevitably have perished. The ships

continued to beat heavily the afternoon. About six the Thistle began to p, and in a few minutes a complete wreck. The remained firm an hour when she also broke up; morning there is nothing of either vessel but a broken boards, spars and "

ublin.—The Duke of Wel-packet proceeded on her from Liverpool to this Saturday last, in the n, full of passengers, and 300 and 400 working rs on the deck and in the On Monday night last, f the Kish-light, a sudden ame on, which threw her eam-ends, when a scene sion ensued which baffles cription; the sky-lights tch-way being off, the shed in torrents to the id hold; in the latter of ere 2 horses, which be-manageable, one of which ople in the hold were to put to death in their ence, and the other was nd hacked that he is past y. Many people were off the deck, some of ere unfortunately drown-a few smothered in the nd the boat, which hung tern, containing a few of unfortunate people, was away with all it contain-ily the greater part were ut two fine children sunk no more, whose mother, infant in her arms, who g with them in the boat e was washed away, was y the presence of mind of

some of the passengers, and now survives to mourn her loss. After undergoing unparalleled hardships, the vessel (not being able to make Dublin, the wind being so adverse) bore away for Holy-head, where she arrived on Tuesday. Several of her passengers arrived here yesterday evening, from Holyhead, by the Pelham packet, who related the above particulars. It is supposed there were 12 or 15 lives altogether lost, but the exact number cannot be ascertained.

4. *Berlin.*—The king has ordered dismissals to be sent to all the public functionaries who signed the declaration in favour of M. Jahne published in the Bremen Gazette. It is now reported that several of these signatures were either forged or extorted by means of intrigue.

The investigations relative to the conspiracy are still actively proceeding. It is stated that the commission is tracing it back to its source, namely, to the year 1807. Jahne is permitted to walk for three hours daily, guarded by two soldiers, with loaded muskets. He lately received an anonymous letter enclosing a bill for 200 Prussian crowns; but as it is not allowable for a state prisoner to be possessed of so considerable a sum, it was forwarded to his wife.

A communication of the decisions adopted at Carlsbad, at an extraordinary sitting of the German Diet, is daily looked for. It is stated, that several of the German governments have prohibited the journalists from saying either good or bad of the above proceedings. They will merely be

be allowed to copy the protocols of the Diet.

8. *Montreal*.—A most melancholy accident has prevented the receipt of our American papers. The steam-boat *Phoenix* has been destroyed by fire on Lake Champlain. The following particulars may be relied on, as communicated to us by one of the crew:—On Sunday last, about 10 minutes past 2 a. m. while the vessel was abreast of Stave-island, wind blowing hard, one of the hands on deck went below to the kitchen to get something to eat, when he perceived smoke issuing through the partitions which divide it from the pantry. Bursting open the door, he was driven back by a volume of flame. All on board were immediately alarmed; the two boats lowered, and 27 passengers safely landed on Providence-island, distant about 3 miles. They then returned and picked up the remainder, who, forced by the progress of the fire, had thrown themselves into the water on whatever they could find to support them; with the exception of the following persons, who were drowned, viz. Mr. Manning, pilot; Mrs. Wilson, boat-maid; Harry Blush, sailor; Andrew Harrison, cook; Stephen Kellis, pastry-cook; and a lad about 15 years old.

When the accident was first discovered, the master endeavoured to run the steam-boat on Stave-island, distant about three-fourths of a mile, but one of (what our informant calls) the plunger-straps being consumed, and its fellow continuing to work, the boat veered round, and would

not obey her helm. Much concerning the sang-froid of Judge Hoit, who seeing the push off, lashed himself on a bench (having previously disengaged himself with much deliberation) threw himself into the water, and lay so quietly on his raft, that the boat's crew supposed him dead. When picked up, he died with great non-chalance, though had no doubt he should have floated for a couple of hours.

Most of the passengers were in bed at the moment of the accident, and escaped in a state of semi-nude. The steam-boat drifted on to the Chester-reef, where she broke to the water's edge, and lies.

Constantinople, Sept. 10. We have just witnessed a great material revolution. The grand vizier all at once caused a decree to be announced, to the effect that all the ministers repaired to the palace, where they were thus assembled, and began by declaring, that they proposed the mufti, Mustapha Effendi, and appointed him to replace the former grand vizier, Romelia, Hadge Haleb Effendi. A few days afterwards he declared the grand master of the ceremonies, the minister of the interior, and the grand marshal. The grand admiral was arrested, and the order of the captain pacha was carried on board a vessel near the Seven Towers. He was accused of not having been firm with sufficient firmness in the insurrection of the Janissaries, and of committing rapine in the Archipelago. Being condemned on those charges, he was beheaded and his body thrown into the sea.

former hospodar of Mol-
has been received with
distinction by the grand

loss of the ship Mysore.—
Mysore left China on the
December last, and had
ed as far as the coast of
China, in about lat. 13 N.
he experienced a heavy
wind from the northward
tward, in which she scud-
long as was deemed safe,
reefed foresail; but on
it blew so violently,
the ship was obliged to be
under her bare masts;
d not been effected ten
before her lower yards,
sts, jib-boom, &c. were
t away; and at the same
was found that she had
a dangerous leak, and six
ter was reported in the
all other duty was laid
nd every one repaired to
ps, where their exertions
unavailing, as by eight,
the water had risen in the
15 feet, and the gun-deck
so half full: it was then
ned to save as many of
as possible, by getting
vo remaining boats out
ther boats having been
ray from either quarter).
nine o'clock the large cut-
got, and Mr. Wemys was
with the care of keeping
the ship, and to remain
nder the lee while the
at could be got out; near-
half of the boat's crew de-
Mr. Wemys while getting
the ship, owing to a large
ing knocked in the boat
the ship, and only seven
remained with him, one
LXI.

of whom he employed in stopping
it with a blanket, and the other
six were employed at the oars.
The gale having considerably
abated, about eleven the long-
boat was nearly hoisted out, and
captain Dobie hailed Mr. Wemys
to approach the ship as quick as
he could; immediately after they
heard a terrible crash, as if the
ship had burst, or a heavy gun
gone off, which was followed by
a general shriek from those on
board. Captain Dobie hailed the
cutter as before, "Pull hard, We-
mys, and approach us;" but in a
moment after, the ship sunk from
their sight, and every soul pe-
rished. Nothing was seen except
a large white whirl, or boil in the
water where the ship had been,
and they appeared surrounded
with the cries of people for as-
sistance. The night was dark;
and although they made every
exertion to move the unwieldy
boat toward the sound of voices,
first on one side and then on the
other, they failed in being able
to save a single soul. Mr. Wemys
now found himself in the open
sea, without a morsel of any thing
to eat or drink, or a compass to
steer by: they were so overcome
with fatigue, that they fell into a
sound sleep in the boat's bottom,
and remained until next day; they
then set the reefed sail, and
steered by the sun for Pulo Sa-
pata, which they made on the
second day, but could not land
on account of a heavy surf: they
made Pulo Candore three days
after, but could get nothing to eat,
except some fish they caught
among the rocks, as the hostile
appearance of the inhabitants
prevented their going up amongst
the

the trees: they were eight days more before they made Tringano, and their only sustenance was six small biscuits, found on one of the Lascars, and water they caught when raining. The rajah of Tringano treated them hospitably for a month, and then sent them in a prow to Malacca, where they arrived on the 23rd of January.

11. *Bombay*.—On the 2nd ultimo, the inhabitants of Ahmedabad were much surprised by the appearance of a royal tiger, which was brought alive from a neighbouring village; he had been caught in a large cage constructed on the principle of a rat-trap, with a goat for the bait, but partitioned off with strong bars, so as to be beyond the reach of the tiger; the goat was, however, taken out dead, without having apparently suffered any injury; we may therefore conclude, that the animal died entirely of fright. A large fierce dog, of the northern breed, was put in the cage for his food, and the gentlemen who were present were much surprised at observing the dog, instead of being alarmed at the terrific animal, immediately rush forward and seize him by the nose; and it was a considerable time before the tiger could disengage himself. After having been kept for some days to gratify the curiosity of the natives, a gentleman of known celebrity in the sporting world, put an end to his existence by shooting him with a rifle through the forehead; the ball was afterwards extracted, and was completely flattened, which shows the extreme hardness of the skulls of these destructive animals. At

the village at which this animal was caught, above 60 people said to have been destroyed by him.

Frosinoni, Sept. 13.—I arrived yesterday with some friends from this town from Tivoli, and the whole road full of military detachments. We have just left the town of Sonino, the direction of which is proceeding with great speed. It is situated on a mountain, and contains many inhabitants. As soon as a military detachment quits its abode, military engineers pull off the roof, and the masons demolish the walls. The town-hall will not be demolished. It will be converted into a barracks for a brigade of carbineers. In a few weeks the town will be entirely razed to the ground. The government assists the inhabitants as much as possible in their emigration; all the indigent are sent to Rome. This expedition from their native soil and paternal roof, occasions many affecting scenes in most of the families.

Cadiz, Sept. 14.—In consequence of the excessive heat of the weather for the last eight days, the fever has increased to an alarming extent. It is calculated that upwards of 3,000 persons are laid up with the fever. The number of deaths is from 20 to 40 daily, out of a population of 70,000 souls. The government and all the troops intended for the expedition, left this last night, since when we have been completely shut in. The communication with the vessels in the harbour is also closed.

Madrid, Sept. 14.—The contagious fever of the Isle of

onishingly increased within days. Between the 1st and 20th of August, the number of deaths was 105, the recoveries 392, and the new cases 57. From the 20th, the day on which the communications were suspended to the 31st inclusive, 345 died, 663 recovered, and the number of sick rose to 1,313. The rapid and fatal progress is the consequence of the indigent condition which is very numerous, the destitution of all resources, and the want of cure for any kind of fever, particularly for the typhoid fever. The town continues to be guarded with the utmost rigour.

The tardy discovery of the cause of its having been propagated to different parts of the vicinity. Though, according to the last accounts, the sanitary state of Cadiz and Malaga appears, generally speaking, good, it cannot be denied that those two towns are the germ of the malady, and even among the hospitals, and even among the inhabitants, according to some reports that have manifested themselves. The Supreme Junta of Cadiz has adopted various measures for subduing the malady in the town which it occupies. A hospital has been opened at the expense of the poor of the Isle of Cadiz among whom the mortality increases. It is demonstrated that misery and want are more than the fever, according to the last reports, and in the first four days of the month. On the 4th alone there were 57 victims.

Sept. 17. — A pamphlet titled "Germany and the

Revolution," by M. Gœrres, was yesterday seized, and officially sealed, by order of our regency. The authorities only succeeded in obtaining possession of a part of the publication, the remainder had already been dispatched to another country.

20. On Monday, Sept. 20th, the two eldest boys of C. A. Elton, esq. (Abraham and Charles, about 14 and 15 years of age), who, with the rest of the family, were spending some time at Weston-super-Mare, went to a small island near the bathing spot called Birnbeck, the passage to which is dry at low water, the connexion with the rocky shore being by a causeway thrown up by fishermen to hang their nets on; here the young gentlemen were amusing themselves by searching for small fish, shells, &c. when the tide, which steals round the island almost imperceptibly, overtook them, and formed a junction, which cut off their retreat. In this situation they were seen by a young lady, who made signs to them of their danger, and gave an alarm, but from the impossibility of floating a boat, from the shallowness of the beach in which it was moored, and which could not be flooded for an hour, all assistance became vain. In their attempt to reach the shore, the youngest was carried out of his depth, when the eldest, who was not in so much danger, stripped and dashed to the rescue of his brother; the tide, however (which in this place rushes like a mill-pond), was gaining rapidly on them, and, in spite of every exertion, they were both enveloped in the flood. As soon as the

the tidings reached the afflicted father, he immediately repaired to the spot, with feelings agonized beyond description. The greatest anxiety was manifested upon every countenance; and as soon as a boat could be floated, colonel Rogers, with two rowers, pushed off for the island; but all search was in vain: their bodies have not yet been discovered, though the jacket of the eldest has been picked up. They were handsome and accomplished youths, with rare talents and amiable dispositions, educated entirely by their father, to whom they were constant companions.

Details relative to the sickness in the town of San Fernando (Isle of Leon), and of the measures taken to arrest its progress:—"About the middle of July last, some fevers began to make their appearance in this town, which, being examined by a commission nominated by the faculty of medicine for that purpose, did not appear to be accompanied by any alarming symptoms, and were only considered as the effect of the season. Such was the state of the public health until the 19th of August, at which period the commandant-general of the province, in consequence of more alarming reports than those which he had previously received, convoked the committee of public health, and, agreeably to its recommendation, renewed his orders to the commission noticed above, to visit the military hospital and that of St. Josef, in the town of San Fernando. The character of the malady was now changed, and several of the sick were found to have the yellow fever.

"From that moment, the most vigorous precautions were enforced. A cordon was established round San Fernando; the troops cantoned there received orders to encamp in the environs, distant from all communication, during an interval of eight days; the commandant-general communicated the afflicting event to all the authorities of the province, as also to all the captains-general of the peninsula. According to the report of the committee of health of Cadiz, however, the contagion had only appeared in the town of San Fernando.

"However encouraging the above circumstances might appear, with respect to the malady being exclusively confined to the town of San Fernando, the supreme committee of health, in consideration of the progress which it might have made previously to its discovery, and under the apprehension that it might have spread to some neighbouring place, deemed it prudent to extend their control (at least during the space of one month previously to the discovery of any contagious character) over all communication with the ports on the Cadiz coast, from Chiclana as far as Rota inclusively; and on the 27th of August, the necessary orders were dispatched to the commandant-general of the province of Cadiz, to the general-in-chief of the trans-atlantic expedition, and to the vice-president of the supreme committee of health of Seville, to establish a cordon of troops, which might prevent any intercourse between the ports on the Cadiz coast and the interior, and which might separate the troops

troops destined for the expedition, which had orders to encamp between the said cordon and the inland provinces.

"The chief secretary of state, moreover, has just established between Xeraz de la Frontera and Port St. Mary, an office for the fumigation of letters, which are to be conveyed with all the precautions customary under similar circumstances. Finally, that no measure may be omitted in an affair in which every individual is interested, the captain-general of Estramadura, and the intendants of Cordova and Jaen, are specially charged to watch that each committee of health in those provinces exercise its zeal, not merely in active operations, but by inspection and vigilance, in order to prevent the least communication, and to guarantee security and the public confidence."

Madrid. Sept. 21. — The supreme council of Castile, on the 10th of this month, registered an order of the king communicated by the duke de l'Infantado, president of the council and minister of grace and justice, commanding the establishment in the capital of a school on the Lancasterian plan. This school is to serve as a model for all the other schools which it is the king's pleasure should be established throughout the kingdom. His majesty has appointed the duke de l'Infantado, the dukes de Montemar and de Villahermosa, the marquis de Ceralbo de Santa Cruz, the dukes de Medina Celi, de San Fernando, and others, to superintend these several establishments. He has also forbidden all tribunals, corporations and other persons to whom

the laws of the kingdom confide the care of public education, to interfere with this Lancasterian system of instruction, and has appointed don Juan Kearney, with a salary of 16,000 reals, as director of the facultative part of the system.

The judgment relating to the attempt of general Porlier, pronounced on the 9th of July last by the supreme council of war, and approved by his majesty on the 12th of August, comprises 242 persons. The following is an extract from the judgment:—

"Brigadier de Ramon Romay, colonel Peon, major Pierre Miqueliz, captains Lopez and Arguez, lieutenants Umedia and Ubarnes of the marine, all guilty of contumacy, are condemned to be degraded, shot in the back, and their property confiscated. If they surrender, they shall be heard in their own defence. Captains Castaneda and Peon are condemned to the same penalty, but with this difference, that they shall not be heard in their defence. Andres Roxo, merchant, shall also be shot in the back, and his property confiscated.

"The other penalties are, deprivation of employment, and condemnation to the galleys for different periods from two to ten years. In this class the condemned amount to 20 officers of various ranks. Those suspended from their employments and imprisoned in forts, from six months to four years, amount to 23.

"The number of persons acquitted, and of those against whom proceedings have been suspended, amounts to 148, nearly all officers; among whom are,
 * three

three colonels and three lieutenant-colonels."

In consideration of the enfeebled health of the auditor of war, don Manuel Saturio Garcia, and his sufferings during a long imprisonment, he is sentenced to be deprived of his office, and to be confined at Ceuta for the term of five years, under the surveillance of the governor, from whence he cannot remove without the special leave of his majesty.

Rome, Sept. 22.—The government persists in its resolution of demolishing the town of Sonnino, which has long served as a refuge for the robbers. The work of demolition has already commenced. Lucien Buonaparté, returning from an airing in his carriage, was attacked by two robbers; but the carabineer, Flordiponte, who accompanied the carriage, put them to flight after a smart conflict. The two robbers have been discovered and arrested.

Manchester, Sept. 22.—Mrs. Wroe and her shop-boy have been again taken into custody for publishing a libel. This poor woman, who has a child at her breast of only five months old, was, after being some time in custody, discharged upon two persons giving bail for 50*l.* each. This is the second time she has been in prison within ten days, and forms the thirteenth process which has been instituted against Mr. Wroe, the proprietor of "The Observer," and his family, within about four months. Mr. Wroe was arrested twice upon the warrants of the magistracy, and held to bail in each case, himself in 500*l.* and

two sureties in 250*l.* each. The bills of indictment were shown afterwards found against him at the quarter sessions and the amount of bail was required in each case. This bail Mr. Wroe was unable to procure, and therefore compelled to abscond himself in order to avert imprisonment. In his absence, the proceedings have been instituted including the bills found by grand jury at Lancaster; but the major part of those processes consisted merely in the warrants of the magistracy, without interposition of any jury.

Leeds, Sept. 23.—Two troops of the 6th carabiniers arrived yesterday, and this morning proceeded on their route for Newcastle. They are to be followed by other troops for the north district, where much alarm and uneasiness still exist. Heaven thank God! all is still and tranquil; at least as far as carabineers are concerned, although much angry feeling is known to exist among the labouring classes; and the former are daily acquiring a considerable addition to their numbers, by fresh converts to the doctrine of universal suffrage by ballot and annual parliaments. The female reformers here present a most formidable show, in point of numbers, and take an active part in the cause in which they have embarked.

St. Thomas's, Sept. 24.—During the whole of the day of the 21st instant, the appearance of the weather strongly indicated an approaching storm; consequently every precaution within the power

no foresight was taken, by the vessels in the harbour, to enable them to resist its destructive force; but the event has unproved, how weak are the efforts of human power. On the evening of the 21st, it began to blow with much violence from the W.N.W., attended with much rain (which continued without intermission during the morning of the 22nd. The storm was most severe, and of a degree of violence than had ever before occurred in this island within the memory of the oldest inhabitants; the wind occasionally shifted between W. N. W. and

At day-light, the wind moderated a little, our harbour presented a melancholy and appalling scene; all the fences have been destroyed, many houses blown down; every wharf in some degree, and many entirely carried away. The wind had moderated a little, and the tremendous rain had ceased to fall; the atmosphere, the enormous loss was discovered: numerous fine vessels that were in our harbour on the evening of the 21st, not one rode out the gale but his majesty's ship *Isbury*, admiral Campbell's ship (dragged considerably from its original situation); the ship *Harriet Doris*; the schooner *Patriot*, and two

The whole of this beach, from the south-eastern extremity of the pier, is completely lined with wrecks, but few of which,

it is feared, will ever be got off. It is to be lamented, however, that a number went down; from which circumstance we are apprehensive that many, many lives have been lost, in addition to the great number already ascertained.

We wish we had it in our power to close the record of destruction here; but, unfortunately, the ravages of the gale were not confined to the sea. We learn from the country, that the warehouses and buildings in almost every plantation in the island, have been materially injured, many of them wholly blown away over a few estates. Some negroes have been killed, which, together with the destruction of the cane, has completely destroyed all our expectations of the ensuing crop. To attempt to estimate the loss our unfortunate island has sustained, is impossible: the melancholy list of vessels stranded, amounts in all to 77 ships and 26 boats.

26. It is calculated that there are at present in Paris from 13,000 to 14,000 individuals, natives of Great Britain. This is independent of the number of English families settled in various other parts of France.

28. The fruit market at Guildford, on Saturday, was supplied with an immense quantity of fine grapes, which sold briskly, at about two pence per pound. Several tons more were sold on that day than at all the markets of any former seasons together.

28. On Friday a coroner's inquest was held at the Bird-cage, on Stamford-hill, over the body of a journeyman plumber, who lost his life whilst working on the estate of a gentleman named Osborne

borne, by the imprudent use of charcoal fire. It appeared from the evidence adduced before the jury, that the deceased had been employed in soldering a leaden pipe at the bottom of a well 130 feet deep, which was situate in a garden belonging to Mr. Osborne, and had lighted a charcoal fire inside the well, for the purpose of melting the lead and heating his irons. The fire burnt briskly, when the deceased left the well for some purpose or other, and soon afterwards returned. A female servant belonging to the house was shortly after passing by, when curiosity induced her to look down, and she perceived that the light was out, and at the same time heard a noise somewhat resembling the groan of a person in great pain, but from the great depth of the place could not hear distinctly. She also perceived a vapour of a suffocating smell overflowing the mouth. Being much alarmed, she ran for assistance, and returned with a young man, who was about to descend into the well, but had not gone down many steps before he sprung out, fell down, and was dreadfully convulsed. By this time a number of persons had collected round the spot, lanterns were lighted, and being suspended by a string, were lowered into the well, with a view of ascertaining the situation of the unfortunate man, whose expiring struggles were now heard very plainly; but no sooner were they immersed into the well, than they were instantly extinguished by the noxious vapour, and the by-standers were in the greatest perplexity, as none dared venture down, or

knew in what manner to act, till a passenger directed them to make use of the only effective measure which can be used on such occasions for dissipating the impure gas—namely, throwing down water; which was immediately done, and the young man who had first ventured to descend, again went down with a rope. The vapour, however, not entirely gone, and upon reaching the bottom it was with difficulty that he could hold his breath long enough to affix the rope to the body of the deceased, whom he found lying upon his face. The body was instantly dragged out, and every means of animation, but without effect. The jury, after a patient consideration of the circumstances, found a verdict of “Accidental Death.” The young man who so cautiously ventured into the well, never since been seriously ill, but is supposed, from the effects of having inhaled the gas.

OCTOBER.

7. Two British subjects, William Hudson and John Jones, were tried under a special commission in Jamaica, on the 29th of October last, for having, in violation of the laws for the abolition of the slave trade, brought some African negroes to that island, for the purpose of disposing of them as slaves. The prisoners were found guilty and sentenced to transportation; the former for seven years, and the latter for three years. This was the

the kind that had taken Jamaica.

burgh, Oct. 3.—Yesterday the theatre of this city gave a representation in honour of the late Prince Blucher. The stage was hung with black, and a great part of the spectators were mourning. The stage was decorated with a dark grove, in the midst of which was a simple altar, under lime and cypresses. Groups of soldiers in the colours, covered in blood. An address composed for the occasion was read, and the whole made a deep impression on the audience.

London, Oct. 7.—The epidemic continues towards its end in the north of Leon. Nobody died during the last days of September, and no bulletin of health was published. It was proposed to thank to God by a solemn service. The fever makes some progress in Port St. Mary. The bulletin states, that between the 1st and 28th of September, there died in that town by the epidemic over 23 persons; and that on the 8th, 343 were labouring under the disease. At Cadiz, it continued to be alarming; it was remarked, that the mortality was greater than in the former epoch when the epidemic prevailed, although formerly the population was more numerous. From the 13th of September, the day on which it ended its existence, to the end of the said month, no fewer than 100 died. On the latter day 100 died. On the 1st instant, 100 victims to the malady; the number on the subsequent

day was increasing in an extraordinary manner. The board of health of Seville has established houses of observation without the city, and ordered the inhabitants of the quarter Santa Cruz, where the malady principally prevailed, to repair thither.

Leghorn, Oct. 9.—We have received from Morocco some official details respecting the revolution of which that empire has been for some months the theatre.

The province of Glava, in the empire of Morocco, is surrounded by high mountains, and extremely populous; it enjoyed for several centuries the most entire freedom, and was not subject to any tax whatever. Many Jews are settled here, who pretend to possess the monument of Joab, the contemporary of David. In 1778, when Sidi Mohammed, father of the present emperor, was crossing its frontier mountains, he was attacked by the inhabitants of Glava, his ministers were made prisoners, and his treasure, which was on the point of falling into the hands of the rebels, was carried off into Europe by a Jew, who was a minister, and who never returned. The emperor, justly irritated, immediately assembled his forces and laid waste the province of Glava, against which he carried on the war until his death.

In the month of June of the present year, as the imperial prince, Mouley Ibrahim, was crossing these mountains on his route to Tafilet, being about two hours' march a-head of his army, he was attacked during the night by the mountaineers, who seized his treasure, made prisoners two ladies

ladies of his court, and mortally wounded the prince himself. The emperor, who was not far off, owed his own escape from the brigands to the fidelity of a young Jew, named David Ben Michaud, a paymaster of Fez, who dispatched a courier to inform him of the danger to which he was exposed. The imperial prince died of his wound on the following day.

Indignant as well as afflicted at this daring crime, the emperor assembled an army which he divided into three corps, one of which was directed to the circuit of Tafilet, in order to take the rebels in flank; the other marched on Serarah; and the third, led by the monarch in person, proceeded direct to Glava. The marches were so well concerted, that the three operations succeeded at the same time and in the most complete manner. The emperor scoured the route even to the town of Glava, by blowing up the rocks which barricadoed the defiles through which it was necessary he should pass: 400 mountaineers joined the imperial army: there were amongst them 10 armed Jews, who, on being brought before the emperor, declared to him that they had been forced by their superiors to take up arms. The emperor, who owes his life to a Jew and who has been two years married to a Jewess, ordered his soldiers to bring before him all the individuals of this sect which might fall into their hands, at the same time promising them a reward of 50 ducats for each. A great number were in consequence brought before him.

On the 20th June, the emperor entered the town of Glava, and gave to each of the above ten Jews a corps of a thousand soldiers, in order that they might seek and save all the inhabitants of their religion who were dispersed in the country and oppressed by the Glavians. At the same time he ordered, that the eyes of all the prisoners of war should be put out; and to effect this operation the victors made use of their ramrods. The rebels were farther condemned to subsist upon alms for the remainder of their lives.

The imperial army made considerable booty in gold and silver; they seized cattle to the value of three millions of piastres, and 8,000 horses of great beauty.

The Glavians, on flying to the mountains for refuge, left behind them their women, who were conducted prisoners to Tafilet. The wives and children of the Jews, on the contrary, were escorted to Mequinez (the residence of the emperor), where orders were issued to furnish them with every necessary at the expense of the imperial treasury.

This victory has been celebrated in Morocco, and in all the towns of the empire, in the most magnificent manner; the emperor, however, deeply deplores the loss of his cherished eldest son, to whom he was desirous of bequeathing his crown.

The conspiracy of the Glavians is attributed to a nephew of the emperor, who aspired to the throne and who appears to have excited the rebels to open tumult. The proof of this was discovered amongst the papers of the deceased

prince imperial, who had nounced it to his father.

ta, Oct. 6.—"You will heard of the act of piracy ed to have been committed e William, Delano, of Li- d, upon the Helen, Cor- from the same port. The ice companies here hired patched a brig to Smyrna, ch of the William, and we ow the pleasure of seeing anchor in our port, with the

and crew (except one rho escaped) in irons. She und in the bay of Smyrna, mediatey recognized by f the Helen's crew, who sent up; when lieutenant n, the commander of the vessel, immediately took sion of her. Since their ariere the crew have con- their guilt, and are endea- g to recriminate upon each is to the instigators. They tried shortly. It is feared he mate of the William, Robinson, has been mur- for perhaps refusing to e rest.

The bust of the Liberatrix ans will soon ornament the publique of Domremy es). On a pedestal, from e will flow a pure and lim- eam, four pilasters of the order will be raised, serv- support a roof of stone, two fronts. A crypt, under this portico, will the bust of the heroine: frise is to be placed the ng inscription:—"To the y of Jeanne d'Arc." A inscription will state, that nument has been voted by partment of Vosges. The

execution of the bust is confided to M. le Gendre Heral.

Stockholm, Oct. 12.—The fol- lowing anecdote is related here respecting the papers left by Gus- tavus 3rd. He had given orders that they should be deposited in the university of Upsal, which was carried into effect. They were placed in two large chests, which, according to the king's order, were not to be opened till 50 years after his death; but the latter order has not been attended to. It was alleged, that the two chests were not clearly described in the king's will, and that it was possible they might be changed for others. In order to avoid this inconvenience they were opened, when it was found that the literary labours of the de- ceased king consisted of a secret history of his reign. The two chests have been again closed and placed in the same deposi- tory, under the seals of the pre- sent king and of the archbishop of Upsal.

Vienna, Oct. 12.—It is reported here, that the emperor of Russia and several sovereigns of Ger- many will come to this capital at the period of the opening of the congress on the affairs of Ger- many. It appears that the reso- lutions of Frankfort are not re- lished by all the courts; and it may be presumed, that their exe- cution will involve serious diffi- culties; the more so, as the ma- jority of the inhabitants of Ger- many appear to be hostile to these decrees.

12. At this date, 11,000 per- sons lay sick in Cadiz alone, the entire population of which has been estimated at no more than

70,000; the deaths from the 1st to the 7th October, were stated by the board of health at 588; and on the 12th, 105 of the unfortunate patients died. At Seville, from some yet unexplained cause, the mortality had been greater in proportion to the number of infected persons than at Cadiz, the deaths in the former city amounting to one case in three. On the whole, the malady did not seem to have in the least abated. Its propagation over so large a surface of the Spanish territory, was manifestly favoured by the dispersion of the troops, whose duty was, to restrain its ravages; and to this same breach of duty may also be ascribed the absolute and final frustration of the long-meditated enterprise against the patriots of South America.

North Shields, Oct. 15.—An alarming riot took place here yesterday evening, in which a man unfortunately lost his life. The circumstances are these:—

The keelmen upon the river still refusing to go to work, an effort was yesterday made by the mayor of Newcastle, assisted by the civil power and four or five boats, manned with sailors and marines from a sloop of war in the harbour, to bring down a few keels laden with coals from different staiths above, and cast them on board such vessels as were waiting for their cargoes. Between five and six o'clock in the afternoon the keels arrived, accompanied by the mayor of Newcastle and a body of special constables in one of the steam-boats, and the sloop of war's boats above mentioned. At this

time a number of persons, principally boys, were assembled on the New Quay, opposite Northumberland Arms, and kept hissing, hooting and laughing, while the coals were being hoisted into the ships lying opposite the quay. Nothing serious, however, happened from such an assemblage was apprehended; and accordingly about half past five o'clock the mayor, the water-bailiff, &c. descended from the steam-boat crossing the quay, went into Northumberland Arms for the purpose of getting some reinforcement. The mayor, the very popular magistrate, however, grossly insulted the men on board, by firing the boat. One man, in the act of throwing stones, was secured with his own hands, and had him conveyed into the Northumberland Arms, where he was detained. Shortly after, the riot upon the quay increased, and stones were thrown in the steam-boat, which was very close to the quay; and the constable and others on board, being unable to defend themselves, dispatched a boat to request the protection of the marines, who had then turned to the sloop. On the arrival of an officer and a few marines in it, presently arrived, and went up close under the stern of the steam-boat, the persons on board of which had by this time and all, been driven to seek shelter in the cabin. The boats kept plying their missile weapons at the quay, hissing and hooting the parties on the water, and frightening them, as was supposed, by firing two muskets; but they were

with blank cartridges. A few minutes ensued, and a fresh shower of stones was hurled into the steam-boat, which struck the officer. A third musket was fired, killing a sailor standing on the deck of the quay, and who was merely a spectator of the No Riot Act was read; no one, in fact, was near, and the mayor of Newcastle, who had no jurisdiction at Shields, was upon the water, and the assembly had never been fired upon. Cries of "Order!" followed. Women and men indiscriminately joined in assaulting the police with stones and brickbats, and the fury of the mob was not directed to the Northumberland Arms, into which it was said, the officer who had ordered the marines had been shot, and where were then present the mayor of Newcastle with the gentlemen, the water bailiff, and where the mob set no bounds to their rage. "Manchester overboard!" "Blood for blood!"—cries were uttered incessantly. The windows and window-frames of the lower stories of the house were completely demolished. Metal pipes for gas, which were tightly fastened, were applied in order to open the doors. At this juncture, when the rioters were actually broken open the door, the high constable of the ward arrived, and declaring that he was in danger to the peace of the town, he proceeded, by his spirited conduct, to allay the frantic feelings of the mob. They demanded

the release of the person who had been taken into custody by the mayor, as well as the surrender of the officer of marines, who, they contended, had taken refuge in the house. The man was very prudently set at liberty; but the officer not being in the house, they were allowed to search for him, which they did very slightly, and then retired, and in a few minutes all was perfectly tranquil.

Shortly after, a small party of dragoons arrived, but their services were then wholly unnecessary. At ten o'clock scarcely a man was to be seen in the streets. The mayor of Newcastle did every thing in his power to keep the peace; but assailed by an infuriated mob, and shut up as he was at the Northumberland Arms, it was impossible for him to make any effectual exertion for the restoration of peace and order. This morning all continues quiet, but large bodies of sailors are prowling about, and bitterly complaining of the conduct of the magistrates in not granting warrants for the apprehension of the marine, or officer of marines, who, as they say, so prematurely and inhumanly fired upon the people.

A coroner's inquest was held upon the body to-day; but after the examination of three witnesses, the proceedings have been adjourned till to-morrow. Enough, however, already appears to exonerate the officer from any charge of having himself been the person who shot the unfortunate man. Much anxiety is felt for the result of the inquest. The jury is very respectable.

Preston, Oct. 16.—Three men, who

who have been engaged in the fabrication of pikes, have this week been apprehended and lodged in the house of correction in this town. Their names are, John Miller, of the township of Mellor, near Blackburn; James Morris, of Haslingden-grain; and John Knowles, of Rawton-stall, near Haslingden. John Miller, a youth, 20 years of age, was taken in his grandfather's smithy, in the act of working one of these instruments on the anvil, in the evening of Tuesday last, and brought before the rev. T. D. Whitaker, LL. D. of Blackburn. During the examination a crowd assembled in the streets, and some apprehension was entertained of an attempt to rescue the prisoner; but a party of the 7th dragoon guards being called out, no serious mischief occurred. After a short hearing, the prisoner was committed for a farther examination: at present he, in common with the other two, stands charged on oath "with having fabricated certain weapons called pikes, or pike heads, with intent that the same pikes or pike heads should be used for the purpose of effecting, by force and violence, a change in the laws and constitution of the united kingdom." The other prisoners were, we understand, apprehended in consequence of declarations made by John Miller, or his grandfather, Ralph Miller, the latter of whom has eluded the vigilance of the officers. Miller was brought to the house of correction here on the night of Tuesday, under an escort of the 7th dragoon guards; and Morris and Knowles were conveyed under a similar escort

to the same place in the afternoon of Wednesday. We are informed that their farther examination will be deferred until the prisoners receive an answer to communication which has been addressed to his majesty's minister. Miller is evidently a weak intellect; Morris has of the character of a rough try blacksmith; but Knowles seems to possess a considerable share of intelligence, and to be a man of keen, sarcastic observation.

Leipsic, Oct. 18.—Six years on this day, the city and its neighbourhood were the scene of the most dreadful horrors: 100,000 million of warriors were engaged in mortal conflict, and to-day in and round the city is as if Leipsic had never been the theatre of so horrible a spectacle. The traces of destruction are most utterly obliterated, a battle lives only in remembrance. The fair is now quite at an end, and though many complaints are made, it is, however, stated to be of the description we call remarkably good. Very great who business was transacted. A number of Jews from Poland, Austria and Prussia, were present. Silk goods and woollen cloths were particularly in demand. The English again made very large sales, because they sell their goods cheap and not seldom throw them away. Great and well-founded complaints are made by the dealers, whose numbers increase extremely every fair. It is said there were nearly a hundred retail dealers at this Michaelmas fair, than at last Easter fair.

qu

ty of goods increases in an
ing manner every fair,
e sale becomes constantly
The inhabitants of the pro-
ceded to Prussia, cannot
most part visit the fair,
e the tariff makes the goods
ar for them, and hawkers
hem cheaper to their own
We have not heard of
nsiderable bankruptcy this

Irid, Oct. 21.—Their ma-
nuptial ceremony was so-
ed at court yesterday, in
esence of all the great of-
f state, dignitaries, foreign
ers, &c.

religious ceremony will
place to-morrow, in the
of St. Francis the Great.
ugust bride will be given
y the infant don Carlos;
al don Louis de Bourbon,
shop of Toledo and pri-
of the Spanish kingdoms,
ill perform the ceremo-

viduals attempting to enter
l, whether provided with
rts or not, who come from
fected provinces, or those
ted, and not having been
ied by the health commit-
or presented themselves to
icers of the cordon esta-
l at various points to per-
the regulated quarantine,
clared irrevocably liable to
leath.

Although the 16th article
constitutional charter of
declares, "that the liberty
press is guaranteed, and
ie law will regulate the
of repressing its abuses,"
peror Alexander has abo-
that liberty by his own au-

thority, in the following docu-
ment:—

"Wishing to prevent the abuses
that may take place from the li-
berty of the press, till a new law
be made to check it, we have de-
creed as follows:—

"All gazettes and periodical
writings will be henceforward sub-
jected to a government censor-
ship."

The other two articles of this
decree relate to the mode of ex-
ecuting the imperial mandate. A
second decree says—

"To complete our ordinance
of the 22nd of May, which sub-
jects journals and other period-
ical publications to a government
censorship, we decree, that the
article which applies to periodical
publications, shall likewise apply
to all writings, and to works of
all kinds which may be printed in
the kingdom of Poland, whether
periodical or not.

"This provisional ordinance
shall have the force of law, till
the legislation on the press shall
be definitively fixed by a decree
of his imperial and royal ma-
jesty."

The ordinance is dated War-
saw, July 16, 1819.

23. Between one and two
o'clock yesterday morning, a
great fall of snow commenced,
accompanied by a violent hurri-
cane. The wind blew from the
north-west, and has done consi-
derable damage in and about the
metropolis. The roads at the
entrance of London were in se-
veral parts impassable, particu-
larly at Walthamstow, where a
number of trees were torn up by
the roots and lay across the
highway, compelling travellers to
make

make a circuit of several miles. The snow had also accumulated near a foot deep, and the pathways in the fields were not passable for foot passengers.

23. Within these few months, many new and excellent arrangements have been adopted throughout the country for expediting the mails. Liverpool now receives all its letters, with the exception of the York mail, early in the morning, instead of at various hours in the day, and dispatches them many hours later (after exchange time) than it formerly did; with a dispatch one day later of its foreign letters intended for the continent. A complete and direct moving chain of mail-coaches proceeds about 1,000 miles, from Penzance to Thurso, by Bristol, Birmingham, Manchester, Carlisle, Edinburgh and Aberdeen. By a late junction at Manchester, Scotland receives and dispatches letters one day quicker each way; and by a newly-established mail-coach from Aberdeen, travelling daily to the Land's-end and Thurso, through a country no stage-coach ever went, and where in general no post-horses were kept, in most instances the letters reach that extremity of the island several days sooner. The counties of Caithness, Ross and Sutherland, each subscribed 200*l.* towards any loss the proprietors of this mail-coach might sustain.

The nuptials of her imperial and royal highness the archduchess Caroline, of Austria, with the prince royal of Saxony, were celebrated by his imperial and royal highness and eminence the archduke, cardinal archbishop

of Olmutz, in the presence of the whole court, with unusual pomp. His holiness has conferred their imperial highnesses' eminences, the archduke Anton, cardinal archbishop of Gran, and the archduke Leopoldus, cardinal archbishop of Olmutz, brothers to his apostolic majesty, the *palium*. Prince Napoleon, duke of Reichstadt, been nominated by the emperor as coadjutor to the archbishop of Olmutz, and leaves Vienna for Olmutz, to reside with his uncle the cardinal Rudolphus, and three priests of the order of St. Benedict will take charge of his theological studies.

Newcastle, Oct. 23.—Sir John's unfortunate affair of Thursday se'nnight, North Shields has continued in a most agitated state. Crowds of disorderly persons have nightly assembled in the streets, and alarmed the inhabitants by their threats and fire-shouts. On almost every wall there has been written "Blood for blood," and terrible and threatening expressions; the shops have been shut up immediately after the riot. So daring have the mob become that they have actually threatened to burn or destroy the ships in the harbour, if the man who fired the fatal shot was not given up.

On Friday se'nnight (the 24th inst.) an inquest was held at the George tavern, Dockwray-street, before Stephen Reed, esquire, on the body of Joseph Wilson, the unfortunate person who was killed upon the Newburn during the riot on the preceding evening. The examination

wi

es lasted five days, when, a patient investigation of ontradiictory evidence, the 1 Wednesday afternoon re- a verdict of "Justifiable ide." This verdict, we to state, has caused the posed to break out into icts of violence. About o'clock the same evening, Coppin, one of the jury, sides near Milburn-place, ting in his parlour, a pist- was fired at the window, ing to the thickness of the r-shutter, the bullet for- y did not pass through, rwise it would have proved rom the direction in which been fired. A short while another shot was fired at use of Mr. Fenwick, in n-place, brother to the n of the jury; the villains mistaken the houses of the others, who reside next each other; the windows Fenwick's house were also . This shot was also pro- ally unattended with any onsequences. Both these re strongly suspected to een fired by four men l in blue jackets and white s, who were seen in the ourhood at the time; and ter the last shot, ran down ps in front of Milburn- and, seizing a boat, es- on the river. About the ime, a new mortice door- was thrown through one of d-room windows of Mr. another of the jury, who in the same neighbour- it fell upon a bed in which was asleep. These daring es, as might be expected, . LXI.

excited the alarm and roused the indignation of all the respectable inhabitants, who, at a meeting held the next day, resolved to offer a reward of 300 guineas for the discovery of the miscreants, and to use every exertion to bring them to justice. A most liberal subscription was instantly entered into for this purpose. The streets of the town were patrolled by cavalry on Wednesday; and on Thursday evening, conjoined parties of special constables, cavalry, and infantry, were preparing to patrol the streets that night.

Accounts of these disturbances have been transmitted to government, and a large ship, on board of which are 300 marines, is daily expected to arrive off Shields.

We are happy to state, that the keelmen on this river returned to their work on Friday morning. The sailors on the Wear also returned to their work last week, the ship-owners having acceded to their terms.

On Saturday last, the South Tyne and the Axwell and Bywell yeomanry cavalry assembled in this town and Gateshead, where they have since remained on duty. Some companies of the 40th foot have also been stationed in this town, and have each day paraded in marching order.

Brussels, Oct. 24.—The following article has been communicated to us, and gives some new details of the troubles which took place last year in the island of Java:—The troubles which broke out in Cherebon (Java), at the beginning of 1818, show to what a degree the Javanese suffer themselves

to be led astray by superstition ; and how, on the other hand, the prudence and intrepidity of our brave countrymen were displayed on that occasion. The chief of the insurgents had declared himself to be a saint, who could not be touched by any of the European arms, and much less killed. This trick had gained him numerous partisans, so that it was found necessary to march troops against them. An action ensued on the 4th and 5th February, 1818 ; the rebel Javanese took flight the first day, but on the 10th they again advanced in great numbers. Lieutenant Bornemann, being sent with 33 lancers of Bengal to occupy a position, was attacked by the pretended saint, who was followed by 1,000 Javanese, each armed with a creese or dagger. Lieutenant Bornemann, who had only his 33 lancers with him, ordered them to do nothing against the rebels without his express commands : waiting for a favourable opportunity, he rushed forward himself upon the chief of the insurgents, and after a short skirmish cut off his head, to the great astonishment of the Javanese, who, seeing him rolling in the dust without his head, lost all confidence in his sanctity, and fled in disorder. Some few of the rebels were cut down, and some taken prisoners ; the rest escaped into the woods. The personal courage of lieutenant Bornemann cannot be sufficiently praised.

Paris, Oct. 23.—On the evening of the 19th inst. four young Germans were arrested in Paris ; they stated that they belonged to the legion of Hohenlohe. It has since been discovered, that three

of them are students of the university of Jena.

25. The duke del Infantado addressed a letter, of which following is a translation, to the Secretary of the British and Foreign School Society :—

“ Madrid, Sept. — Sir, I have the pleasure of handing you a copy of a royal decree, which authorizes the establishment of schools upon the Lancaster system throughout the kingdom, and have reason to hope it will be adopted in all the towns and villages of the realm, as many scholars already come to our school, which was opened in April last, and in which 320 boys are educated.

“ I have impatiently awaited, and now eagerly embrace, the opportunity to assure the members of the British and Foreign School Society, of my sincere feelings of gratitude for the honour which has been pleased to confer on me, by electing me an honorary member of that charitable and patriotic association ; and that I esteem much more than I can express.

“ DUKE DEL INFANTADO
“ James Mellar, esq.”

The Royal Decree.

His excellency D. Juan de Torres, secretary of the office of Favour and of the office of Favour and Justice, on the 30th of October last, addressed to his grace the duke del Infantado the following Royal Order :—

“ The king our sovereign, being desirous of affording the first elements of education to the most indigent class of his subjects, of which they are in various places deficient, a

the gratuitous schools established throughout his dominions—not at present provide, as the introduction of the Lancastrian system of education set forth by your grace, together with other noble measures, the first rank in the kingdom—motivated by the love of the sovereign, their country and fellow-subjects, have established a school in this capital, at their own expense, to serve as an experiment.

The exertions used by yourself and others who have co-operated with you, in promoting this noble undertaking, have been highly approved of by his majesty, and having taken into consideration the praise-worthy results which excited the prospect of this system of education, his majesty has thought fit to establish a Central School in this capital, for the purpose of placing upon the aforesaid system, which may serve as a model for other schools in the kingdom, that this mode of instruction may be adopted in any of his dominions; provided that a central school only of this description be established in each province, and that it be at the residence of the respective municipalities, but not otherwise; not interfering with the establishments already existing, or to adopt the system of the Lancastrian schools, unless by their own will, though supported by the public funds.

The Lancastrian schools are now upon a new establishment, wholly dependent upon the Central School in the capital. In order to prevent deviation from this method—to watch the uniformity of these

schools—to observe the progress of the scholars—to qualify such masters as are to conduct the schools—and otherwise to promote the objects of this institution, his majesty gives to your grace competent authority jointly with the duke of Montemar, the duke de Villahermosa, the marquis de Cerralvo, the marquis de Santa Cruz, the duke de Medinaceli, the marquis de Astorga, the duke de San Fernando, and the count de Santa Coloma, to conduct the same; and you are required, through the secretary's office, to give an account to his majesty of whatever may relate to the aforesaid system, the schools wherein it is to be practised, and the masters charged with conducting the same, forbidding the tribunals, corporations, and others, who by the laws and royal decrees are charged with the superintendence of education, to take any cognizance thereof, provided they are not obstructed in the exercise of their functions.

“That a director-general be appointed for the superintendence of schools, with a salary of 16,000 reals of vellon (350*l.* sterling), to be paid out of the surplus revenue of the public lands, which appointment his majesty has deigned to confer on D. Juan Kearney. And lastly, it is his majesty's sovereign will, that becoming thanks be given in his royal name to your grace and to the other individuals who have co-operated with you in this patriotic measure, for the zeal shown in serving him and the state; and by his majesty's direction I communicate it to your grace

grace for your own satisfaction, and that of others concerned in the same; and to the end that this royal decree may be carried into effect with the greatest punctuality and exactness by the publication thereof to whomsoever it may concern."

The foregoing royal order has been communicated to the council by the president; who, having seen the same, together with the resolution of the exchequer officers,—who, by a decree of the 15th of July last, were pleased to order that the general treasury of the revenue of public lands should direct what is most expedient to be done with respect to the payment of the salary of the 16,000 rials of vellon allowed to the director of the said schools, for which purpose the necessary order was issued the 20th of the same month;—it was deemed proper to ask for a copy of the plan which is to serve as a rule for this mode of instruction. In consequence whereof, and of what was recently set forth by the said exchequer officers, it was agreed that his majesty's resolution, contained in the order herein transmitted, be published and circulated without prejudice to the privileges of the council and those of the public cause.

Whereof I inform your lordship, by the advice of this supreme tribunal, for your own information, and that you may circulate it to the magistrates of the towns in your department for the same purpose. May the Lord preserve your lordship many years.

(Signed) D. B. MUNOS.
Madrid, Sept. 10.

Constantinople, Oct. 25.—"On the 16th, the two elder Duzoglies were beheaded at the Seragli gates, and two others, a brother and a cousin, hung at the door of one of their country houses on the Bosphorus. On the 17th, the head of Apturaman Bey (late director of the mint), who had been sent into exile with a pension of 30,000 piastres, was brought to town and placed by the two first-mentioned where they remained three days.

"On the 23rd, another of the Duzoglies, who had been absent on account of bad health, was brought in, and of course placed in confinement. Nothing has yet been done with respect to the other parties implicated; but there can be no doubt that, soon as every thing is confessed and recovered, to which it is said they have been enforced by torture, the same fate is reserved for them.

"The property found in the Duzoglies' possession, and what was discovered elsewhere, exceeds credibility; and what has been sold brings prices far beyond the original cost; for the government forces the rich bankers and other royahs to attend; and what the Turkish nobles do not want of themselves, is knocked down to them at any rates they please.

"A great number of families have been ruined by this event, they having placed their funds of interest in the hands of the Duzoglies; and there is hardly a respectable dealer in jewellery in the place but what is implicated either for property sold, or entrusted to them for sale, the whole of which had fallen into the hands of government, and is selling

lic auction. When individuals under foreign protection, we seen and claimed their property whilst under the hammer get no redress, you may see what chance remains for our royals."

deen, Oct. 27.—On Saturday Sunday last, we were with one of the most tremendous gales which have been experienced on this coast for years. It commenced on Friday afternoon, and continuing that night, and till Sunday night, blowing from the E. and N. N. W. in squalls of unexampled violence, accompanied with snow and sleet; and what is yet to be learnt, has been produced some of the most disastrous consequences to the shipping, but more especially along the coast. The direction of the storm, the shores of the Moray-frith chiefly suffered; the various harbours from Buckie to Kinaird's Head presenting one continued scene of devastation; which the new harbours of Fraserburgh and Macduff have sustained incalculable damage. The pier at Macduff, to which the independent patriotic proprietor had put out so largely, are nearly ruined. At Redhith, Cullen, Portknockie, Buckie, and Rotchburgh, great quantities of her property and other property have been carried off, and many fishing boats dashed to pieces. At the mentioned creek, the sloop *Tryn* was put ashore, and has been a wreck; crew and part of the materials saved; and at the piers, which had been above 100 years, have been

carried away, and about 1,000℥ value of herrings lost. During the violence of the gale on Sunday, public worship was entirely suspended, the people being employed in endeavouring to save their property and secure their dwellings. A foreign brig, loaded with flax and flax seed, is ashore in Banff-bay, and her mate said to be drowned; and a vessel loaded with herrings driven ashore at Portknockie, crew saved; but the cargo entirely lost.

At Peterhead, the sloop *Aid*, loading oil at the South Quay, was driven from her moorings, and totally wrecked on the west side of the bay; about 20 tons of oil have been saved, and 16 lost. It is also stated, that the breakwater at the New Harbour received some considerable damage, but the extent had not exactly been ascertained, owing to the continued violence of the surf.

Fraserburgh, Oct. 25.—A shocking spectacle presented itself this morning on the north side of Kinaird's-head light-house, where during the night the brig *Adonis*, of Liverpool, had been driven on the rocks and dashed to pieces, and all on board perished; the wreck of both vessel and cargo strewn along the shore, exhibiting an awful catastrophe, the cargo consisting of hemp and tallow. Several dead bodies were repeatedly seen this forenoon, dashing against the face of the rocks by the violence of the waves, one of whom had the appearance of having been a passenger, as he had on a long black cloak,

cloak. Several articles of children's clothes have been also washed on shore. On a small part of the stern was, "Adonis, Liverpool;" and on a sign-board, "Adonis, Geo. Atkinson, for Oporto."

Stonehaven, Oct. 25.—From the violence of the easterly storm between Saturday and Sunday, a run of the heaviest sea that has been seen here for a long time back, rolled into our harbour, which is quite open to the storms from that quarter, and is at best but poor shelter for vessels during the winter season. About one o'clock on Sunday, a small sloop belonging to William Smart, of this place, broke from her moorings, and was driven with such force upon the beach beyond the harbour, that, in the course of a few minutes, she was literally dashed to pieces; scarcely a plank or deal in the whole hull but was broken into different parts.

She had on board 163 barrels of cured herrings, all of which, except three casks, are totally lost. None of the crew were on board at the time she broke loose, or they must undoubtedly have perished.

Petersburgh, Oct. 28.—The king of Spain has requested permission from the Russian government to engage 40 Jesuits, destined to re-establish in the Spanish colonies the celebrated missions which contributed so much to propagate in them civilization and Christianity.

St. Petersburg, Oct. 29.—His royal highness the duke of Gloucester, president of the British Society for the Amelioration of

Prisons, has addressed a letter to the president of the Russian Society, the privy counsellor A. Galitzin, expressing his found gratitude to the emperor on the occasion of his making erecting at Cherson a monument in honour of Howard. The emperor at the same time sent a bust of Howard, bearing a resemblance.

Cassel, Oct. 26.—In all the great festival of the Germans was celebrated with the usual cordiality, and love of order. In the midst of that glorious day, fires upon all the mountains, and in many plains; joy every where reigned in its true cordialness—the loud transports of people and festive assemblies of the high classes. Though the festival was kept all over the country, not the slightest disorder or impropriety anywhere took place.

Paris, Oct. 26.—The editor and publisher of the translation of Mr. Hobbes's history of the "Hundred Years' War" took place before the Assizes of Paris yesterday. This translation was originally printed at Ghent, and a copy of it was purchased from a traveller in France by M. Domercq, one of the defendants in the present trial. This copy was shown to the defendant, Regnault Warin, who thought it might be published in some parts, which reflected too much severity upon the emperor and the royal family, were suppressed. Regnault Warin took the task of erasing the offensive parts, and these

ing made, the book was

Five copies of the publication were, in pursuance of a decree, deposited in the public office. 34 copies were sent to London, 14 to Ghent, Geneva, Naples, Turin, and other foreign cities. 487 were distributed to the booksellers at Paris; and 100 were presented to the proprietors of the publication.

The publication was charged with being seditious, in having made a direct attack upon the inviolability of the King's person, the succession to the throne, and the constitutional authority of the monarchy. Several passages in the work were charged as being calculated to excite against the members of the royal family.

The Advocate General, in his address to the jury, remarked upon the points of diversity between the original work and the translation, which were not to the advantage of the latter. He observed that although "the author was a republican in principle, he was too much inclined to legitimism to usurpation, and was not blinded by the egotism of Buonaparte. He treated Napoleon on every occasion with respect, but all these passages appeared in the translation. The translator had used the word 'sacred' in speaking of the sacred rights of Majesty to the throne, and the translator prefixed the word 'pretended.'"

At half-past four o'clock the jury retired, and returned to the court at half-past six. They found the two prisoners guilty of formal attacks upon the inviolability of the

King's person, &c., but they declared them 'guilty' of public insults towards the King and royal family; and the court, after some deliberation, sentenced Domergue to six months imprisonment and 1,000 francs fine; and Regnault Warin to one year's imprisonment and 1,000 francs fine.

27. *Paris.* — Yesterday, M. Gevaudan and colonel Simon underwent an examination before M. Meslier, Juge d'Instruction, for having permitted meetings of the friends of the liberty of the press to be holden in their residences, in contravention of the article 291 of the penal code, which enacts, that "no association of more than twenty persons shall take place either daily, or on appointed days, for the object of discussing religious, literary, political, or other topics, without the sanction of the government, and under such conditions as the public authorities may judge proper to impose upon the society." The violation of this article is punishable by a fine of from 16 to 200 francs.

28. *Manchester.* — The people of Bolton sent a requisition some days ago to the magistrates of the Warrington division, acting at Leigh, requesting their protection in the exercise of their constitutional rights to meet and petition for the redress of grievances, and to express their opinion upon the subject of the late transactions at Manchester. They have just received an answer, addressed to Mr. Bowker, the late boroughreeve, from Mr. Barrow, the chairman of the magistrates, recognizing the right of the people

ple to meet, and to petition either parliament or the Prince, upon any subject; and enclosing a letter from lord Derby, in which the same recognition appears, accompanied by a declaration, that the magistrates would not be justified in interrupting the people in the exercise of that right upon any occasion, if they conducted themselves peaceably. The noble lord, however, concluded with expressing his disinclination to interfere with the discretion which belongs to the magistrates.

29. Ten additional field pieces, with a proportionate number of artillerymen, have been ordered by government into the districts under the command of major-general sir John Byng.

The disbanding of the 25th light dragoons, which lately arrived at Chatham from India, has been countermanded, and orders have been issued to suspend, for the present, any further discharges from the regular army. The skeleton of the 86th regiment, which also lately arrived from India at Chatham, is expected to join its depot in this city immediately.—*Canterbury Paper*.

31. *Paris*.—The members of the society of the "Friends to the Liberty of the Press" assembled yesterday in great numbers at the house of M. Gevaudan, where they deliberated upon the difficult circumstances and critical situation in which the society is placed. It is remarked, that since the ministry has made a direct attack upon the committee of the Liberty of the Press, the members of the society assemble more numerously than ever.

NOVEMBER,

1. The advices received from Port Jackson, by the Foxhott to the 13th June, contain information very important to the interests of this advancing territory. It was some time since announced that a passage had been effected across the Blue Mountains, that a most desirable country had been discovered to the west of those towering heights; we have now the additional gratification of stating, that a communication has been opened to the coast by easy access, running through the lands of the first description. The colonists are indebted to the exertions of C. Throsby Esq. a large land and stockholder, many years resident in New South Wales, who, after two preceding attempts, succeeded in May last, with the assistance of two native guides, Cooagonn, chief of the Burrah tribe, and Dual, issuing from the Cow-pastures direct for Bathurst, having encountered only those difficulties inseparably attendant on the first explorers of the forests of this new country. Mr. Throsby, on the whole, occupied 15 days on the expedition, his progress being protracted from his party falling ill, and from the weather; but by the delay he had greater opportunity of examining the country on each side of his route; and in his letter to the gentleman from whom he has the information, he says, "I have no hesitation in sta-

a country fit for every purpose, where fine sheep may be increased mount, in a climate congenial to them; ere will hear of a route being d to the southward, as [wofold-bay, and so on in succession through a as much more beautiful prior to the Cow-pastures, now enviable district is to l contiguous to Sydney, re our herds, our flocks, cultivation may unlimited- ease, at an inconsiderable from the great and grand in a young colony— urriage.”

Following extract of a geller from the governor on sion will evince his excellence of the import- Mr. Throsby's exertions:

“ G. and G. O.

“ *Government-house,*

“ *Sydney, May 31.*

excellency the governor received and perused the of a tour lately made by

Throsby, esq., by the the Cow-pastures to Bathurst, in the new discovered westward of the Blue mts, takes this early opportunity publicly to announce the result of an enterprise promises to conduce, in a eminent degree, to the future and prosperity of the

communication with the country having been ere over a long and difficult passage of mountains, alike l to man and cattle, from riched and barren state, it

became an object of great importance to discover another route, whereby those almost insurmountable barriers would be avoided, and a more practicable, and consequently less hazardous access effected to the rich and extensive plains of Bathurst.

“ His excellency adverts with pleasure to Mr. Throsby's general report of the capabilities, qualities and features of the country intervening between the Cow - pastures and Bathurst; which he represents to be, with few exceptions, rich, fertile and luxuriant; abounding with fine runs of water and all the happy varieties of soil, hill and valley, to render it not only delightful to the view, but highly suitable to all the purposes of pasturage and agriculture.

“ The importance of these discoveries is enhanced by the consideration, that a continuous range of valuable country, extending from the Cow-pastures to the remote plains of Bathurst, is now fully ascertained, connecting these countries with present settlements on this side the Nepean.

“ His excellency the governor, highly appreciating Mr. Throsby's services on this occasion, offers him this public tribute of acknowledgment, for the zeal and perseverance by which he was actuated throughout that arduous undertaking; and desires his acceptance of 1,000 acres of land in any part of the country discovered by himself that he may choose to select.

“ By command of his excellency,
(Signed) “ J. T. CAMPBELL,
Secretary.

By

By the Shipley, that had sailed on the 1st of April, but has not yet arrived, between 200 and 300 troops were sent home, which has left the colony with a force of only 500 men for its protection. The number was deemed inadequate for the purpose, and the settlers (in other respects going on prosperously) were in anxiety and alarm on that account. An increase of military force has been long expected by the colony, as well as a brig of war at Sydney. All the benevolent institutions, especially the Orphan School, founded by the excellent lady of their former governor, captain King, are producing the best effects on the rising generation.

2. An inquest was held last week, which lasted several hours and which excited very considerable interest, at the Triumphal Chariot, Pembroke-mews, Grosvenor-place, before Mr. Higgs, on the body of Mary Gibson, a girl nearly 15 years of age, who, a few months ago, came from the country as servant to a Mr. Tusson, and who was killed on Sunday night last, through the furious driving of Adam Wright, a coachman belonging to Messrs. Mawbey and Phipp, proprietors of the Fulham stages, and who was a few months ago liberated from prison, after being found guilty of manslaughter, for killing a Mrs. Kirby and her child in a similar way. Several witnesses were examined; after which the coroner very minutely recapitulated the evidence, and gave it as his conviction, that the deceased met her death from the improper conduct of the driver, Adam Wright, who, he was sorry to

find, had been once before punished for a similar offence; however, as the jury had patiently for so considerable a length of time, paid attention to the different evidence adduced, it rested entirely with them to decide what verdict to give on the present most melancholy catastrophe. He at the same time thought it his duty to congratulate Messrs. Mawbey and Phipp upon their conduct, in so promptly coming forward, and was convinced that the public at large would agree with himself and the jury, that they were not in the slightest degree to blame in the present affair. The jury consulted for a few minutes together, and returned a verdict of *Manslaughter* against Adam Wright. The witnesses were bound over to appear against him, and the coroner issued a warrant for his apprehension.

Lord Cochrane has made some important captures on the S. W. coast of South America. The letters communicating this intelligence are dated from St. Jago de Chili, 17th of June, and were brought by the Royal Sovereign whaler. The vessels captured consist, it is stated, of eight merchantmen, laden with valuable cargoes and specie; and nearly all of them were insured to the full amount at Lloyd's. These vessels were under the convey of the Spanish frigate called the *Cleopatra*; the action in which they were captured took place off Payta, considerably to the north of Lima and near the great bay of Guayaquil.

Liverpool.—The collector of this port has given orders that all vessels from the United States shall

placed under quarantine. received this day from Ark, up to the 27th Sep- give a melancholy ac- the ravages made by the fever. The principal of that city are deserted nhabitants, who have fled country to avoid the con-

Business was suspended, re were not any hopes of r abating until the end of . The Ann, captain ; from New York, is now port, with upwards of 100 l emigrants. There are o American vessels in t at present—a circum- unprecedented in time of

nsequence of letters from me Department to the lieutenant, the yeomanry in the midland and north- unties have been called hold themselves in readi- assist the civil authorities, of necessity.

re applications at the Se- of State's office, by per- shing to emigrate to the d new settlement at the Good Hope, have been ous as to render it ne- for government to apprise ho may now be desirous eeding to that colony, : whole number which it ble to send out during the year has already been ted.

Humphrey Davy writes ome to one of his friends, the number of manu- found in the ruins of Her- um, and which have been oclosed during 1,696 years, e been unrolled, and are

now legible. There are 319 ut- terly destroyed; 24 have been given away as presents. It is hoped that from 100 to 120 may yet be saved out of 1,265 manuscripts that remain to be unrolled and decyphered, by means of a chymical operation which will cost about 3,000*l.* sterling.

The late storm has been severely felt along the North Devon coast. On Thursday, the 21. ult., a fishing-boat belonging to Clovelly, with seven men, was lost in sight of that romantic vil- lage, one only being saved. This melancholy accident is much em- bittered by the reflection, that the six unfortunate individuals have all left behind them wives and families to the extent altoge- ther of thirty-five children! One of the men was called Brent, and formerly attended Dock-market. Several other herring boats were dispersed in different directions, some being driven on the oppo- site coast. An American ship passed up channel on Thursday, laden with cotton; she had on board five men, taken off the wreck of a brig laden with tim- ber in the Chops of the Chan- nel. These men report their vessel to have been laid on her beam-ends in a gale of wind, but on her masts being cut away she righted, when two of the crew fell overboard and were drowned. The survivors remained on the wreck, living on raw salt pork 14 days, when the American vessel happily fell in with them.

Fire at Whitechapel.—The pat- rol, when he saw the smoke issu- ing from the windows of Mr. Aaron Oram, sprang his rattle for assistance,

assistance, but before any one arrived the lower part of the house was enveloped in flames. The most distressing scene that can possibly be conceived now presented itself; the family, consisting of Mr. Oram, his wife, eleven children and three servants, were shrieking for aid from the upper windows of the house. There was no possibility of their escaping but through the windows, and no ladders were near, nor was there any communication to the adjoining house. Mr. Oram, Mrs. Oram and their son (a youth of 17 years of age), threw themselves out of a two pair of stairs window. Mrs. Oram was caught by the watchman and received but trifling injury: Mr. Oram escaped most miraculously, without any fracture of his limbs; the son unfortunately had his leg broken, and sustained other serious injury. As soon as Mr. and Mrs. Oram recovered themselves, they called out for their children in the greatest agony. The youth was carried to a neighbouring surgeon. By this time ladders had been brought to the premises, and the two adjoining houses (occupied by Mrs. Ross, a milliner and a Mr. Lazarus) were on fire. The ladders were placed against the house of Mr. Oram, and the servants and seven of the children were taken out of the windows of the upper stories. When the seventh child was taken from the window, the flame and smoke rushed in volumes from the upper part of the premises, and the servant-man, who was on the ladder for the purpose of assisting the three remaining children from the burning pile, was

compelled, to save his life, to slide down the ladder. The little unfortunate crept out the window crying for aid, which no human power could render them. The agonizing feelings of the parents are impossible to describe: the mother, their infants stretching for aid, their little hands, until the fire hid them from the mother. The mother was taken to her neighbour's, in a state bordering on madness. The father, in a state of frenzy, called for his children; but, alas! the poor children, consisting of one daughter, years, one boy seven years, and a third nine years of age, were in the flames. While the ladders were rendering aid to Mr. and Mrs. Oram, a party of thieves stole proper goods of considerable amount. The ladders did not arrive until the premises were nearly destroyed. Lazarus's house was chiefly by lodgers; they were taken out in a state of nudity, and received into the neighbouring houses and supplied with clothing. They unfortunately did not save a single article of furniture, or any other property. The house of Mrs. Ross was destroyed, and no proper record of the body of one of Mr. Oram's children (the eldest) was dug out of the burning pile, but burnt to a cinder.

4. *Cambridge*.—William esq. M. A., Sergeant at Law, Master of Downing-college, yesterday elected Vice-Chancellor of this University for the ensuing year.

On Tuesday last, in consequence of a requisition

of distinguished individuals of the different colleges of the university, a meeting took place in the Lecture-room under the Library, when Dr.

being called to the order of resolutions were read and carried unanimously to the establishment of the Society as a point of connection for scientific communication, the further organization of the Society being referred to a future meeting, the meeting was dis-

regt. — An unexpected arrival on Tuesday for one of the 6th foot from the 1st for England. Accordingly on the morning (Wednesday. 3) eight companies of the regiment marched in two columns, one by the south and one by the coast road, for upon-Tweed. The two companies proceeded to place as soon as the vessel formed. We understood the route of the regiment where it is to be stationed. Tuesday, four cart loads of arms, being the whole of the firelocks belonging to the Yorkshire militia, arrived at Hamilton, attended by the corps, and were taken to the Castle. This, it is said, is a measure of precaution taken by the Lord Lieutenant of the county of Lanark, in consequence of the present state of the west of

Islands. — Arrivals from the West Indies, that a state prisoner had been conveyed to the castle of that city. It is supposed that Sandt.

A very remarkable affair will soon be brought to trial. The following is the case:—Louis Buonaparté, while he was King of Holland, had purchased the magnificent seat of Mr. Hope, the banker at Haarlem. Being obliged to quit his throne, he could not enjoy his private property. The present king of the Netherlands, at his entrance into the kingdom, took possession of the palace of Mr. Hope, as being a demesne of the crown. On the first remonstrance of Louis Buonaparté, the sovereign showed a desire to make an amicable arrangement, and offered to the ancient possessor, first 200,000 florins, and afterwards 300,000. Though this last sum was pretty nearly the value of the estate, Louis refused it as insufficient. The ex-king then caused a consultation to be held by some distinguished lawyers, the majority of whom decided in favour of their sovereign; the minority, consisting of three members, decided in favour of the ex-king. This affair is going to be brought before the Tribunal of the First Instance at Amsterdam. Louis Buonaparté has chosen for his counsel Dr. Mayer, one of the first lawyers in the Netherlands and the author of some excellent works. The question to be proved before the tribunal will be, whether Louis Buonaparté paid for this palace out of his own private fortune; and whether, in 1813, at the time of the installation of his Majesty, he was still in possession of this estate; or whether the imperial administration which had succeeded him had not appropriated it and united it with the demesnes

demesnes of the crown. In the first case, the palace would be the private property of Louis Buonaparté; in the second, the King would owe nothing to the former possessor.

5. *Thames Police-office.*—On Thursday and Friday last, capt. Charles M^cGlashan, of the ship *Margaret*, from Tobago, appeared to a summons under the Act of Parliament passed last sessions for the more speedy recovery of seamen's wages, to show cause why he should not pay Alex. Campbell 9*l.* 1*s.* 6*d.*, the amount of the wages due to him on the voyage from London to Tobago and back again. On the part of the captain it was attempted to be shown, that Campbell had on May 26, while the ship lay in Tobago, deserted, and therefore forfeited his wages: in answer to which, it was proved by six witnesses, that the captain had inflicted four sabre wounds on the body of this seaman; that he continued to beat him with it until the violence of the blows broke a piece off the point of the sabre of more than four inches in length; not content with which, he ordered his mate to flog him, who accordingly gave him seven dozen lashes with a nine-thread rattling-line, folded four times with a knot at each end; and that with the permission of the captain, he went on shore up the island, a distance of 25 miles, to make his complaint to a magistrate, from whom, however, he could neither obtain a hearing or any redress that rather than starve on the island, he tendered himself to the captain to return with him to this country; but who refused to re-

ceive him unless he paper whereby he promised to pay all expenses the ship had incurred at on his account, that the charges laid against him and the mate were unjust and malicious, and that he was free of them of all charges, the consequence of which he declined to suffer to work his passage in the Governor Halket's ship, captain Justus of that vessel accepted.

Mr. Longly, Mr. Rickards, Mr. Kinnard, were all of opinion, that a seaman could not be a vessel for the purpose of making a complaint to a magistrate, and that the complaint was untenable or not, was not a question; and under all the circumstances of this case, it came into consideration the fairness of the man's being obliged to remain on the beach 13 nights, and day by day on the shore, and that he could find which the man washed on shore, the mate refused even to allow the man to go ashore, of which captain Justus made Campbell a present, and sent him home on board, and sentenced Mac Glashan to pay the balance of the wages and home, amounting to 6*d.*, and also the costs of the application.

Two other charges, against other seamen under similar circumstances, against the captain, were decided in the same manner.

Guildhall.—Yesterday, Hawley, John Jackson, Gulston and Charles, journeymen printers, were

ir Richard Carr Glyn, of Smith, the officer, e of having printed a e number of Moore's on unstamped paper. secution, in this in- instituted by the wor- mpany of Stationers, vington, who attended ollicitor, stated, that ny, though not pos- any exclusive right, extensive publishers of ; and that the four vere pressmen in the the printer employed pany, in which capa- ad the opportunity of ressions of the Alma- reptitiously, whereby was the company in- t the revenue also rauded. This practice gth come to such an t it was felt to be ab- cessary to put a stop gal means; the more as there was little that the paper also, ch such impressions , was procured by dis- ins.

orne printer, Red Lion t-street, deposed, that rs were his pressmen, yed wholly in a room for that purpose, in Moore's Almanack for ners' Company; and vere not authorized by ke any impression of nack otherwise than ped paper delivered to hat purpose.

odfall, a printer, said, uence of information received, he went to ne's, accompanied by keepers of the Str-

tioners' Company and an officer; they found the four prisoners at work in the same room; they proceeded to search them, and found on Jackson and Hawley several copies of the calendar sheet of the Almanack on unstamped paper, and a considerable quantity was also found hid in a drawer in the room. The prisoners when questioned confessed having printed them. Several quires of the Almanack on unstamped paper were also discovered at the lodgings both of Jackson and Priest.

Smith produced the copies found at Mr. Thorne's, and upon the prisoners Jackson and Hawley; and the sheets found on searching the lodgings were also exhibited by the officer employed, amounting together to nearly 20 quires.

The prisoners acknowledged having printed them. The impressions were upon paper of various descriptions, and some of it Mr. Thorne stated to be part of the same kind as another work was being printed upon in his office.

Sir Richard Glyn said, he considered the charge as completely proved against all the prisoners; but as there appeared to be different degrees of guilt, he should feel it his duty to make similar distinction as to their separate punishments, and accordingly sentenced them to hard labour in the House of Correction, Jackson and Priest for the whole term of three months, Hawley for two months, and Gulston, as the least offender, for one month only.

On Saturday morning a melancholy accident happened in Kell's-pit, near Whitehaven, by

an explosion of fire-damp, in which twenty persons were unfortunately killed. It is stated to have been a most unexpected occurrence, every precaution having been used, and an excellent ventillation regularly preserved. The explosion proceeded from a part of the workings where the pillars are being removed, and where the atmospheric air was forced over the broken parts as much as possible. The overlookers and workmen had orders to examine daily whether any fire-damp existed in this part of the pit, and on no occasion had any been perceived.

It is one of the regulations in the Whitehaven collieries, that no hewer shall approach his work without a Davy or safety-lamp; and with one he may safely explore, let the quantity of fire-damp be what it may. The present lamentable event was the consequence of this regulation not being observed; and possibly the indiscretion of one individual led to the catastrophe.

These workings in Kell's-pit have been quite free from fire-damp, and on Friday evening they were left in supposed safety. Impressed with the idea of a total absence of danger, workmen become more adventurous, and are apt to consult their own convenience in the utter neglect of rules framed for general benefit. Sir H. Davy's admirable lamp, if kept in order, is perfect security to the miner. From its construction, however, the light it affords is not so strong as can be obtained by other means; and miners are frequently induced to remove the safety-cylinder, or to have recourse to candles, thereby occa-

sioning danger which could have been avoided. Fata- been this accident, had red an hour later, more would probably have suf a great many of the wor of this pit had not assem

Two men were taken on Monday morning, after remained in the pit above six hours, exposed to the vapour occasioned by the sion, and probably owe to having upon them good shirts, which, in a great preserved them from the kept them warm after These two persons, w others, had retreated in old workings where the less impure, but their cor did not survive; and who had no shirts upon them want of covering may l rished by cold. It is s that the two men, a fa son, could so long exis place where they were, s was so impure that th would not burn when th went to bring them out. dog, the property of men, was also taken o and was lying close by ters.

6. Further particulars received at Lloyd's ye concerning the late darin piracy committed in th terranean by the master of the William, Delano, verpool. On the 29th subsequently to the pl the Helen, the William a Malta, where, from the tion given by two of the the Helen, who were there a few days before, from the contraband trad

the master during his stay, and was excited that it was the William which had committed the piracy. Delano sailed for Malta on the 3rd of September, and the suspicions were so increased after his departure that application was made to the merchants of Malta to the Government for a vessel of war to be sent after the William; but no request could not be complied with, as the only vessels at Malta were the Spey and the Porpoise, the first preparing to return to Genoa, and the other not fit for sea. The insurance companies at Malta, however, declined on preventing the escape of the criminals, chartering the Gibraltar brig, the Frederic, which was manned by 20 seamen from the ships of war, under the command of Lieut. Hobson, of the Majesty's ship Spey, and sent in pursuit of the William. Lieut. Hobson arrived at Malta in 13 days, where the William was discovered lying at anchor, and was immediately seized by the two seamen belonging to the Helen as the vessel had boarded them off the coast of Gatte. Lieut. Hobson ordered the whole of his party to be boarded by boats, concealing their arms under a cover in one, and going with the other, which denied the possibility of rescue or escape, and quietly took possession of the William, with her crew, with the exception of one man who happened to be absent, but his description was given to the hands of Mr. Wing, British Consul, and there was no doubt of his being apprehended. Lieut. Hobson, after so

ably executing the commission that had been intrusted to him, returned to Malta on the 3rd of October, with the master and crew of the William in irons, who were immediately put into the Quarantine-prison. An examination was immediately commenced by the crown solicitor, which left little doubt of the guilt of those wretches, who all were eager to be admitted as king's evidence, in order to save their own necks. The name of the mate who left Liverpool in the William is Robinson, and, as he is missing, he is supposed to have been murdered by the rest of the crew for refusing to join them in their depredations. The trial of Delano and his crew was to take place at Malta on the 26th of October. By intelligence received yesterday from Gibraltar, dated the 14th of October, it is feared that the English brig Arno, bound from Malta to that place, has met with a fate similar to that of the Helen. The Arno sailed from Malta about ten days before the Walsingham packet, but though the latter had arrived at Gibraltar, the Arno had not been heard of, notwithstanding that the wind had been perfectly fair for several days. It appeared that the Arno and the William left Malta about the same time, that both the masters were intimate, and had dined together, when Delano, it is thought, found means to get from him an account of the money he had on board, and was probably tempted by the prospect of so valuable a booty. Little doubt was entertained at Malta of the conviction of the pirates.

6. No information, it is said, has yet been received from lieutenant Parry, who commands the expedition for exploring Baffin's-bay. As the season is now rapidly advancing, it is conjectured he has passed through sir James Lancaster's Sound, notwithstanding captain Ross's assertions of its being encompassed with land, or that he is unable to return to the southward from the tremendous bergs and masses of ice which move in that direction during the summer. In either case no deficiency of provisions or warm clothing can be experienced, as both the Hecla and Griper are well stored with every necessary. It is well known that lieutenant Parry always conceived that the attempt at discovery in the polar regions was relinquished at the time when the greatest chance of success offered. The months of August, September, and October, are considered as the most favourable in this respect, the new ice rarely beginning to form until December, until which time the old ice continues wasting. The land expedition, under lieutenant Franklyn, from Fort York, Hudson's-bay, to the Copper-mine-river, where Mr. Hearne stated he fell in with the sea, proceeds before the close of the present year, by which he will reach the high northern latitudes in the spring, and have the summer to prosecute his researches. Lieutenant Franklyn, with a surgeon, two midshipmen and two seamen, have been some time at Fort York, making the necessary arrangements with the Indians for their journey.

By an order of the emperor of

Austria of the 7th ult. lithographic presses, either for printing or engraving, are prohibited, unless used with the special authority of government. The punishment for contravening this order to be the same as for having a clandestine printing press.

Letter from Leeds.—I mentioned in a former letter, that ten pieces of artillery had arrived in this district. Out of this number, two field-pieces, with a proportionate number of men, arrived here to-day, and are to be stationed in this town; the others are to be placed at Wakefield, Huddersfield, Halifax, &c. in the immediate vicinity: so that all, if wanted, may be brought to one point of action at a short notice. God grant that their services may not be required!

In addition to the two troops of the 4th, or Royal Irish dragoon guards, already stationed here, another troop arrived this day; and in order that we may be better protected, some extensive buildings have been inspected, and are ordered to be fitted up immediately as barracks for a regiment of infantry shortly expected. It is also confidently rumoured, that the regiment of Yorkshire hussars commanded by lord Grantham, and the other yeomanry and volunteer corps, are to be immediately called out.

The premises that have been taken for the infantry barracks are understood only to be for their temporary occupation, as substantial buildings for that purpose are to be erected, not only here, but in every other large manufacturing town.

12. The king of Spain, in order to

gualize his nuptials by "a of royal clemency," has, by dict of the 25th October, ounced the pardon, first, of isoners throughout the king- who have not committed rimes of high treason, mur- ecclesiastics, coining, fire- g, blasphemy, theft, sub- on of perjury, and malver- in public office; excepting uch vagabonds as have been mned to the army or to the als; and, second, of all and rebellious fugitives; hall, ^{off} in Spain, within the of six months, and if be- Spain, within one year, pre- themselves before some ju- authority, and claim the t of this amnesty.

The party of artillery, with o field-pieces which it was were on their road to New- arrived at that town. They ed in great military form, ed by the grenadier com- of the 40th foot, through orn-market, which at that was at the height, to the nce barracks.

ording to accounts received the coast of Barbary, the ies have given an entirely- factory answer to the de- of admiral Fremantle and d Jurieu, who went with a ed English and French on to insist on the renun- of piracy. The plague ased at Algiers, but still at Tunis, where it has car- f 60,000 persons.

The out-pensioners who een passed at the muster ark, have been marched ll, where they are to do n duty.

ssels.—A sentence passed

last week by the tribunal of Brus- sels, on the complaint of the mi- nister of his Catholic majesty, has applied the law of five hundred florins, in all its rigour, to the editor of "The Journal General des Pays Bas," for having inserted the proclamation of Melchior, who is at the head of a body of rioters in Spain. The sentence states, that M. Weissenbruck, printer to his majesty, convicted of being the printer and editor of an article inserted in the "Jour- nal General" of 22nd August, in which, under pretext of a pre- tended proclamation issued by the chief of banditti Melchior, the personal character of his Catholic majesty is insulted and outraged, has incurred the pe- nalty threatened by articles I. and II. of the law of 28th Septem- ber, 1816. In consequence, the court condemns him to pay a fine of 500 florins to his majesty's treasury, with the suppression of his patent, and the prohibition to print or publish any work for the space of three years, and to the costs.

Hull Advertiser.—A detach- ment of the 90th regiment marched into Macclesfield, and proceeded on the route to Stock- port the next morning; on which day, and Thursday, several com- panies more, with the band, ar- rived at Macclesfield, where the head-quarters of the regiment is at present fixed.

17. Arrived at Hull, by the Fife, captain Calder, from Leith, the baggage of the 6th regiment of foot, on their way from Edin- burgh for Leeds. Part of the regiment arrived at Leeds the same day.

22. It was stated a few weeks

since, that application had been made to the government of Venezuela, by certain British merchants, for a grant of land on the banks of the Orinoko, for the purpose of founding a colony, and for receiving emigrants from this country. The extent of territory applied for was to be sufficiently large to entitle it to the rank of a kingdom, and the title of New Erin, with a capital, to be called New Dublin, was intended to be bestowed upon it. It is said that the visit of general Bergara and signor Pernalva, the Venezuelan deputies to this country is partly intended, and they have full powers for that purpose, to carry this object into effect. A preliminary treaty has been drawn up, and is now under consideration. The land allotted is to be selected from the missions of San Miguel Piega, and its extent is to be 200 leagues square. It will form an integral part of the province of Venezuela, and be governed according to its constitution, preserving complete toleration in religion, and freedom from military service for the settlers. Three merchants of London and one of Dublin are engaged in the negotiation; and a joint-stock company is intended to be formed for regulating the concerns of the colony.

Munich.—By a decree of his majesty, of the 14th of September, the festival of the Reformation is to be celebrated every year in all the Protestant churches in the kingdom of Bavaria. Sunday, the 31st of October, is fixed for this solemnity, of which written notice has been given to all the Protestant clergy.

23. On Saturday evening an inquest was held at the Barley-mow, Mount-street, Berkeley-square, before T. Higgs, esq. coroner, on the body of a female infant about eight months old, of interesting appearance, who, on Thursday night last, was found in Lansdown-passage by lord Chetwynd's servant, who took it to the workhouse. A porter who sweeps the passage where the child was found, every night, on the Thursday evening saw a woman, very fashionably dressed, with a scarlet mantle trimmed with fur, and a large white French bonnet, enter the passage with a small basket, which at first appeared weighty; she shortly returned, and requested him, "for God's sake to go down, that a child was lying on the ground;" he followed, and she wrapped her shawl round the infant, telling the porter to mind it, and she left the place in haste. The jury had an opinion that she was the mother. No opinion could be given as to the cause of death, and the jury returned a verdict—"That the deceased's death was occasioned by being wilfully exposed to the inclemency of a dark, cold night in Lansdown passage."

Bow-street.—Yesterday James Bryant, James Hartley, and Thomas Chambers, were brought to the office from St. Martin's watch-house upon a night charge. Mr. Birnie, the sitting magistrate, exerted himself to discover who they were, and the object of the conduct with which they were charged, they having been detected in parading the Strand, armed with pistols, at midnight on Sunday.

Mr.

Thomas Bewley, tobacco-merchant, No. 49, Strand, stated, that after twelve o'clock on Sunday night, he returned home, just as he was ringing his bell, when the flash from a fire-arm, at the same instant heard at the same place, which he concluded to be a pistol; it proceeded from three men, who were directly opposite to him, near Caspary's. He was induced from what he had seen and heard to cross the way towards them, to ascertain the cause, when he drew a pistol in the hand of one of them; he endeavoured to fire. Some alarm having been given by the discharge of fire-arms, and in consequence of the firing of some watchmen's pistols, it turned out that all the prisoners were armed with pistols, and Mr. Bewley saw one of them draw a pistol at the breast of one of the watchmen; but when he was prevented from being fired by his arm being caught, or whether the prisoner could pull the trigger, he could not tell. The prisoner Hartley ran off; he pursued him; came within arms of him, and secured him. The watchmen secured the other; and as positive he saw a pistol in the prisoner's hand. The circumstance produced a great tumult and noise in the street.

Edward Hussey, a watchman, stated, that on hearing the report of a pistol and a watchman's rattling, he ran towards the spot, when he met the prisoner Hartley running away from the scene, which induced him to suspect he was the offender, and he endeavoured to stop him, but he ran off. Mr. Bew-

ley, however, followed and came up with him, and being more powerful than Hartley, secured him and held him till he got up, and delivered him into his custody.

This was confirmed by Edward Sterry, another watchman, who saw pistols in the possession of all the prisoners.

Thomas Hunt, a watchman, confirmed the general statement, and stated, that when he laid hold of the prisoner Bryant, he resisted, and struck him a violent blow with a pistol. After he had seized him, he put his hand behind him to give a pistol to another man, who, no doubt, was one of the gang; he endeavoured to seize the other man, but he ran off and got away.

Robert Wearings, a watchman, said he heard the report of a pistol and the springing of watchmen's rattles, which induced him to go to assist, and he endeavoured the first to secure Hartley, he being the man who was pointed out as the one who had fired the pistol, but he beat him off by striking him several times with a stick violently.

After the evidence had been taken, the worthy magistrate examined the prisoners as to who they were, and the cause of their being armed, and especially at that very late hour on a Sunday night, when the prisoner Bryant admitted that it was he who fired off the pistol. They gave a very unsatisfactory account of themselves: Bryant pretended that he was intoxicated, and that he had only bought his pistol on Saturday.

The only account they gave of being

being in possession of pistols was, that they had been advised to go armed; and upon an inquiry into their notions and connexions, they proved to be three of those ignorant and deluded wretches called Radicals. They were ordered to be detained.

26. The Island of Barbadoes, which escaped the hurricane in September, so fatal to some of the neighbouring islands, was visited last month by a similar calamity. The storm is described as the most dreadful that has occurred in the island since 1780, the anniversary of which was commemorated on the 11th ult. by a solemn fast. On the 13th the gale commenced, attended with torrents of rain, which continued during the whole of the following day. The evening closed with the most terrific appearance, as if giving notice of the dreadful havoc that was to ensue. The wind and the rain increased, and the deluge of water became so irresistible, that it brought down the gully at Bridgetown, formed to carry off the freshes from the country, with impetuous fury, sweeping before it Constitution-bridge and every building in its course; and soon after, that beautiful structure the New-bridge, which cost the colony so much money, was demolished in an instant. The morning of the 15th dawned upon this scene of desolation, the hurricane continuing with unabating fury. About seven o'clock the appearance of the town throughout became distressing beyond description; the water had risen in the streets to three or four feet, and in many places as high as five

feet; nothing but confusion and alarm appeared: whole families were seeking protection and security in other quarters. Men were seen wading up to their middles protecting their wives and children; the servants conveying what property they were able to carry, but scarcely knowing whither to turn with it. The hurricane terminated at six on the evening of the 15th. A complete detail of the injury the island has sustained cannot be given, as the particulars of the state of the interior had not all been collected when the accounts came away. The plantations have more or less felt the effects of the wind among their buildings, some of which have been blown down, and others unroofed; the negro houses, as far as could be ascertained, have been mostly destroyed. The canes on some estates have been torn up by the roots, and in others levelled with the ground. Among the plantations more particularly injured are, Ashbury, Bennett's, Duke's, Pilgrim, Belgrove, and Grove's estates; but it is believed that not a single spot on the island has wholly escaped. In a division of the parish of St. Andrew, called Scotland, there was scarcely a small house left standing, and the plantain trees were nearly all destroyed. At Forster-hall estate, near Joe's river, some singular and awful phenomena occurred. Several of the buildings sunk under the earth, and were totally destroyed; and a house, where a flock of sheep and some cattle were lodged, was swallowed up and entirely lost. A wood adjoining suddenly moved down

a spot where Forster-hall
 ings stood; a field of young
 took possession of a spot
 a field of potatoes had
 and which slid into the sea.
 king of the earth occurred
 er parts of the island; the
 ng of Dr. Bascom, in the
 of St. Thomas, gave way,
 was nearly buried in the
 ; the family had fortunately
 d it. Speight's-town has
 ed considerably; and Irish
 it is said, is completely
 with the sea. The damage
 ; the shipping was conse-
 le; but several vessels were
 by taking measures of pre-
 n, suggested by the appear-
 of the atmosphere before
 isticane commenced, to ride
 in safety. No return had
 obtained of the number of
 lost; but it was imagined,
 all the circumstances of
 readful calamity, that it was
 r than might have been
 ted.

American papers to the
 ult. were received yesterday.
 ever has abated generally,
 few York is considered so
 om it, that all those who
 d on the first alarm are re-
 g. The late hurricane at
 Thomas's has extended to
 d other islands, where it has
 equal damage. At Tortola
 vessel was on shore, and
 house in the town except
 estroyed. The governor of
 land and all his family were
 red in their house, and
 rous other lives lost. At
 artholomew's half the town
 estroyed, and the shipping
 red one mass of ruins at the
 of the bay. At St. Martin's,

every estate except two was in
 ruins: returns had been received
 of 146 persons lost, besides many
 more missing. Anguilla, St.
 Kitt's, Nevis and Porto Rico,
 have also suffered materially;
 but the details had not been re-
 ceived.

DECEMBER.

3. Yesterday, six persons were
 committed to Preston House of
 Correction for manufacturing
 pikes. They were brought in
 three chaises from Burnley and
 the neighbourhood, under an
 escort of dragoons.

4. *Bow-street*.—Yesterday, a
 man of colour, calling himself
 Peter Rayner, dressed in livery,
 and saying he was a servant to
 lady Gower, was brought to the
 office, and underwent a long ex-
 amination before Mr. Birnie, the
 sitting magistrate, charged with
 having committed a highway
 robbery under the following cir-
 cumstances:—

The post-chaise driver belong-
 ing to the White-hart inn, at
 Bagshot, on returning home on
 Tuesday night last with an
 empty chaise from Farnham, took
 two men into his chaise at Farn-
 borough to ride a few miles.
 He had observed the prisoner
 riding behind the chaise some
 time before, but seeing he was a
 livery-servant, he did not object
 to it. When the two men got
 out of the chaise, the prisoner
 agreed with the driver to take
 him in the chaise to Bagshot
 for 1s. 6d. After they had pro-
 ceeded some distance, and had
 arrived at a lonely part, the pri-
 soner

soner called out of the chaise to the driver to stop, but did not assign any reason why he was to stop; and the driver, having some suspicion of him, declined complying with his request and flogged his horses on at a quicker pace, when the prisoner jumped out of the chaise and swore he would blow the driver's brains out if he did not stop, and presented two pistols, which induced the driver to comply. The prisoner then robbed him of his money, &c. made him dismount from his dicky, unharnessed one of the horses and put a saddle on him, on which the prisoner mounted, and went back the road by which the chaise had come. The driver proceeded on to the White-hart inn, at Bagshot with one horse to his chaise, and related what had happened. A number of men were despatched on horseback, &c. in various directions in pursuit of the robber, but no trace was made of him till Thursday, when he was detected at the Pack-horse public-house, on Turnham-green, where he stopped with the stolen horse on his way to London. He afterwards escaped out of a back door of that house, but was pursued and taken in a field. He was fully committed for trial.

12. *Mansion-House.* — John Morley, the keeper of billiard-rooms Sweeting's-rents, in the parish of St. Bartholomew by the Exchange, was charged upon information under the 12th of Geo. 3, cap. 23, sec. 1, for setting up, maintaining and keeping a certain fraudulent game, to be determined by the chance of dice, under the denomination of

the game of hazard, by which he was liable to the penalty of 200*l.*

The information was laid by an eminent merchant, a resident in the parish of St. Stephen, Coleman-street, who was led to adopt the proceeding in consequence of having experienced in the person of a *protégé*, 19 years of age, the dreadful effects which gaming establishments, or as they are figuratively called, "Hells," are daily producing. The prospects of the young person whose indiscretion has been alluded to, were a short time ago splendid, but a few visits to Morley's put an end to them.

The house in question is in all appearance devoted to the game of billiards, and most of those who frequented it engaged merely in that game. Through the agency of professed gamesters, who shared in the profits of the concern, those who appeared to be proper objects of plunder were soon introduced to the hazard table, which is kept in a retired and private part of the house.

The evidence of the young man was to the following effect: he had been in Morley's house; the game of hazard was played in the front room on the second floor; a door led into it from the landing place and another from the public billiard room, which is the public room on the same floor; both these doors were, during the time of play, kept barred and locked, and never opened except to the voice of some person known to the master of the house. During play the door was seldom or never opened; but before play commenced, there was an understanding

ding given that pro-
were about to begin. In
e of the room was a
ular table, over which a
suspended, and round
the players sat, in num-
ally from six to ten.
commenced by one of
rs taking the dice-box
dice in it; two other
covered on the table,
be substituted for those
x, upon application to
who acted as "groom
Morley is remunerated
ble very handsomely.
caster throws in three
cecessively, he pays to
bat is called a box (one
aces of the house with
game is played.) The
eighteen-pence each,
ives them in exchange
and retakes them. The
ys nothing unless he
he players generally
lay at eleven or twelve
On Saturday there is
, as Morley on that day
ives a dinner at four
mmediately after which
ommences. On other
nd coffee are given.
eld, the officer, swore
rved the notice of at-
at Morley's billiard-
eeting's-rents. The de-
id not appear.
ersee of the parish de-
at he had been in Mor-
se, No. 2, Sweeting's-
month or five weeks ago;
ley voted as an inhabi-
n organist.
rchwarden who collects
rates in the parish de-
at Morley was rated as
ant.

A number of young men, most
of whom are clerks, were called
to confirm the evidence as to the
system, but none of them ap-
peared.

The Lord Mayor, after having
made some comments upon the
vice of gaming, convicted Morley
in the penalty of 200*l*. We under-
stand that the defendant left this
country for Ireland the moment
proceedings were instituted. The
gentleman who laid the informat-
ion was only restrained from
prosecuting the person who rob-
bed him, by the promise of that
person to leave the country for
ever.

22. A dreadful accident oc-
curred at Little Harwood, near
Blackburn, by which two men
were killed on the spot; two
others were so shockingly bruised
that they have since died of their
wounds; and a fifth lies in a
most deplorable state, with little
chance of recovery; and another
man and a boy are also much
bruised. The accident was oc-
casioned by the explosion of a
steam-boiler at the mouth of a
pit which colonel Hargreaves and
two other gentlemen are now
sinking for coals. The boiler
weighs about four tons, and was
carried, it is supposed, about 50
yards high, and fell 65 yards
from the place where it was
working. It was seen in its tran-
sit by many persons at a consi-
derable distance. One piece of
iron of a ton weight was thrown
fifty yards, and several stones and
slates were found at 100 yards
from the place they had occu-
pied. The building which con-
tained the engine was left with
scarcely one stone upon another.

One

One of the unfortunate sufferers was carried by the violence of the explosion to a distance of 80 yards, and lived several hours after he was taken up. Three of the men who have been killed have left families; the fourth was a stranger who came from Low Moor iron-works to inspect the engine, and had not been more than an hour on the premises when the dreadful occurrence took place.

22. A meeting of from 20,000 to 30,000 Radicals was held on Monday at Burnley, in Lancashire. A number of them were, it is said, armed with pikes and pistols. Among the resolutions passed, one was, that an address should be presented to the Prince Regent by Hunt and Johnson in person; another, that if parliament should propose any measures to curtail their liberty of meeting, such a step should be considered a signal for a general meeting.

25. On Saturday last, a party of officers in Paisley were sent to execute a warrant for apprehending a person accused of seditious practices, and for searching his possession for papers. When they had completed their search, and proceeded to the street with their prisoner and papers, they were assailed by a mob, who knocked one of them down, and so severely hurt another with stones, which were unmercifully pelted upon them, that they were obliged to abandon their prisoner, and in the best way they could, effect their escape. Yesterday, one of the magistrates, with a party of officers, accompanied by some

infantry and cavalry, proceeded to apprehend some of the ringleaders when they were mobbed and sailed in the same manner. On the same day, another party of officers, along with the sheriff's men, were grossly insulted, and some concealed arms were seized, some of the most public streets in Paisley, and they found it unsafe to carry them off without the protection of the militia, and a party was accordingly sent for to escort the officers with arms so seized. On this duty soldiers were hooted and insulted, and one of them severely injured by a stone from the mob, in the presence of the sheriff, and without any retaliation.

27. On Thursday evening, after six o'clock, as Mr. E. Blake and Mr. Thomas Dray riding officers in his Majesty's customs, stationed at Lydd, in the district of Dover, were proceeding on duty, they disembarked at sea, in the Midriffs, bound for Dover and Romney, a quantity of tea, spirits and tobacco, which they seized, together with a large galley, the *Le Marcheron*, of Boulogne, being in the act of illegal exportation. Having succeeded in getting the boat and cargo ashore, they were attacked by a numerous gang of upwards of fifty smugglers, armed with pistols, bludgeons and offensive weapons, one of which struck Mr. Blake a violent blow on the head, which brought him to the ground, where he remained a considerable time insensible, and great fears are entertained for his life. Mr. Dray was dreadfully ill-treated. The

ucceeded in giving an Assistance came, and desperadoes made off with-
ing into effect their in-
of rescuing the contra-
operty, which was safely
in the customs' stores at

A reward is offered for
man that attempted the
Mr. Blake, his person being

On Friday a privy-council
d at Dublin-castle, when
nies of Ballymoe, Downa-
Kiliyan, and Tyaquin, in
unty of Galway, were,
he act of the 54th of the
eclared in a state of dis-
e. An extraordinary es-
nent of police will ac-
ly be formed in those
s.

A fishing bank has within
ew years been discovered,
is supposed to extend
50 miles in a south-west-
section from the Shetland-

islands. It joins the fishing banks
on the western side of the Ork-
ney-islands, and is believed to
bend westward as far as Cape
Wrath in Sutherlandshire, and
the Lewis-isles. This great bank
has already become an object of
some notoriety with the Dutch
and French fishermen, who are
to fish upon it next season. One
French vessel, said to belong to
St. Maloes, fished two cargoes of
fine cod upon it in so short a pe-
riod in the summer of 1819, that
she returned to France with her
second cargo in the month of
July. A number of decked
boats, or small vessels, manned
with eight hands each, belonging
to the Shetland-islands, rendez-
voused last summer in Scalloway
and the other bays on the western
side of Shetland, were also ex-
tremely successful, having ac-
tually caught, for several months
together, at the rate of 1,000 fish
per week for each boat.

108 ANNUAL REGISTER, 1819.

BIRTHS.

January.

Lady Willson, a son and heir.
The wife of Hon. C. Langdale,
a daughter.
The wife of Lieut.-col. C.
Crookshank, a son. ♦
The wife of Will. Browne
Folkes, Esq. a son and heir.

February.

The lady of Sir L. T. Worsley
Holmes, Bart. a daughter.
The wife of the Hon. H. Grey
Bennet, a son.
Lady Gardiner, a son.
Duchess of Bedford, a son.

March.

Lady Harriet Paget, a dau.
Countess of Lusi, a son and
heir.
Marchioness of Ely, a daughter.
Countess of Manvers, a dau.
The wife of the Hon. Alex.
Murray, a daughter.
At Hanover, March 26, the
Duchess of Cambridge, of a son,
and on March 27, the Duchess of
Clarence, of a daughter. The
latter only survived a few
hours.
The Duchess of Leinster, a
son.

April.

The lady of M. Milbank, Esq.
M.P. a son and heir.
Viscountess Folkestone, a dau.
Viscountess Newport, a son
and heir.

May.

Lady Louisa Lambton
lady of I. G. Lambton,
M. P. a daughter.
Lady James Stuart, a dau
Lady Milton, a daughter.
The Countess of Stanho
daughter.
24. At Kensington Palac
Royal Highness the Duch
Kent, of a daughter.
27. At his hotel in Berlin
Royal Highness the Duch
Cumberland, of a son.

June.

The lady of Sir Thos. I
land, Bart. a son.
Viscountess Cranley, a d
Countess of March, a dau
Lady Eleanor Feathers
son and heir.
At Florence, Lady Burg
a son.

July.

The Countess of Castle
a daughter.
At Stockholm, Visco
Strangford, a daughter.
At Lausanne, Lady F
Hoste, a son.
The Marchioness of Twe
a daughter.

August.

The reigning Duchess o
burg, a son.
Lady Frances Ley, a son
Lady Caroline Ann Mac
of Clanronald, a son and he
The Duchess of Newca
daughter.

Countess of Errol, a dau.
Countess of Euston, a son.
Countess of Abingdon, a

son.
Ogilby, a son.
Lisbon, Lady Buchan, a

September.

lady of the Lord Justice
a son.
Paris, the Duchess of
a daughter.
Elizabeth Smyth, a dau.
of Sir John Bourke, Bart.

of Sir Frederic Gustavus
, Bart. a son.

October.

Dublin, Countess Talbot, a
son.
of Rear Admiral Sir
Talbot, a son and heir.
ness of Jersey, a son.
y William Russell, a son
ir.
nd Duchess of Mecklen-
Strelitz, a son.
y of Capt. Sir James Dun-
. N. a son and heir.
y of Sir C. Wolseley, Bart.

Countess of Lieven, a son.

November.

Marchioness of Down-
a son.
Hon. Mrs. Peter De
ere, a son.
Right Hon. Lady Bagot,
ghter.
wife of Henry Brougham,
f. P. a daughter.

At the South parade, Cork,
Lady Audley, a son.

At Edinburgh, the lady of Sir
Alex. Mackenzie, a son.

At Edinburgh, the Hon. Mrs.
Dundas, a son and heir.

The wife of Thos. Tyrwhitt
Drake, Esq. M. P. a daughter.

At Braham Castle, the Hon.
Mrs. Stewart Mackenzie.

Viscountess Ranelagh, a dau.
The Right Hon. the Countess
of Brownlow, a daughter.

December.

At the Hague, the Countess of
Athlone, a daughter.

At Shugburgh, Staff. Vis-
countess Anson, a daughter.

Lady Lindsay, a son.
The lady of Sir John C. Cogill,
Bart. a daughter.

The wife of Sir Hen. Onslow,
Bart. a daughter.

Lady Boughey, a son.
Viscountess Pollington, a son.
The wife of Thomas Denman,
Esq. M. P. a son.

MARRIAGES.

January.

Marquis of Blandford, to Right
Hon. Lady Jane Stewart, eldest
daughter of the Earl of Galloway.

Sir David Moncrieffe, Bart. to
Helen, daughter of the late
Æneas Mackay, Esq.

Sir Robert Sheffield, Bart. to
the eldest daughter of Sir J.
Newbolt, Chief Justice of the
Supreme Court of Judicature,
Bengal.

Feb.

110 ANNUAL REGISTER, 1819.

February.

Lord Viscount Anson, to Miss Louisa Catherine Phillips.

The Rt. Hon. Lord Greenock, to Miss Mather.

Capt. Charles Sotheby, to Miss Jane Hamilton, third daughter of the late Lord Belhaven and Stenton.

The Right Hon. Lord Rodney, to Charlotte Georgiana, second daughter of Sir Rich. Morgan, Bart. of Tredegar.

March.

The Earl of Uxbridge, eldest son of the Marquis of Anglesea, to Eleanora, second daughter of the late John Campbell, Esq. of Shawfield—having been previously married on the 5th of August last at Altyre in Scotland, the seat of Sir W. G. Cumming, Bart.

Mr. Sergeant Copley, Chief Justice of Chester, to the widow of the late Lieut.-col. Thomas.

Hon. James Sinclair, second son of the Earl of Caithness, to Elizabeth, youngest daughter of G. Tritton, Esq.

Sir Jacob Astley, Bart. to Georgiana Caroline, youngest daughter of Sir Henry Dashwood, Bart.

The Hon. F. Lumley, second brother of the Earl of Scarborough, to Jane, second daughter of the late Adm. Bradley.

The Earl of Dundonald, to Anne Maria, eldest daughter of Francis Plowden, Esq.

April.

Lady Frances Anne Vane Tempest, to Lord Stewart, second son to the Marquis of Londonderry.

At Dublin, the Hon. and Rev.

E. Wingfield, second son late Viscount Powerscourt
Louisa Joan, third daughter of the late Hon. Geo. Jocelyn
Sandford Graham, Esq.
to Caroline, third daughter late John Langston, Esq.

Henry Brougham, Esq.
to Marianne, widow of the late J. Spalding, Esq.

May.

The Earl of Buckingham to Miss Glover.

Earl Temple, M. P. eldest son of the Marquis of Buckingham, to Lady Mary Campbell, second daughter of the Earl of Bute.

The Hon. Richard Nevill of Lord Braybrook, to Jane Cornwallis, daughter of the Marquis Cornwallis.

Sir John Wrottesley, Bart. to Hon. Mrs. John Bennett.

June.

Capt. White Melville of the Royal Lancers, to Lady Catherine Osborne, only daughter of the Duchess Dowager of Leinster.

The Right Hon. Lord Manners, to Lady Augusta Chaworth, youngest sister of the Earl of Wemyss and March.

The Hon. H. F. C. Caverham, M. P. son to Lord G. Caverham, to Frances Susan, widow of the late Hon. F. Howard.

I. Freeland, Esq. M. P. to Mary Palmer.

Hon. Robert Henry C. M. P. second son of Earl Portman, to Lady Harriet Windsor, daughter of the late and sister of the present, Earl of Plymouth.

P. Grenfell, Esq. to the Hon. Lady Georgiana Isabella Frances Molyneux, eldest daughter of the Earl of Sefton. Hon. Fred. Crewe, Esq. nephew of Lord Crewe, to the Hon. Harriet Smith, daughter of Lordington.

July.

L. G. Graham, Esq. M. P. son of Sir James Graham, to Fanny Callender, youngest daughter of James Campbell, of Ardkinglas.
Hon. Wm. Cust, M. P. to Miss daughter of the late Sir John Newnham, Esq.
L. Yates Peel, Esq. M. P. to Miss Maryamworth, to Lady Jane Grey, second daughter of the Earl of Mount Cashell.
Hon. Frederic Sylvester Douglas, only son of Lord Douglas, to Miss Harriet, eldest daughter of Lord Wrightson, Esq.
Hon. Capt. Robert Rodd, N. brother to Lord Rodd, to Miss Anne, youngest daughter of the late Lord Dennett, Esq.
Rev. G. Cornish, eldest son of G. Cornish, Esq. to Harriet, second daughter of Sir R. B. St. Bart. of Chaddesden.
Konix, near Berne, Mark Lane de Morlet, M. D. to Miss Anne, youngest daughter of the late Sir J. Ingilby, Bart. of Wiltshire.
Hon. Capt. Perceval, son of Lord Arden, to the daughter of J. Hornby, of Titchfield.
L. Tyringham Bernard, Esq. to Miss Sophia Charlotte, daughter of the late Sir David Williams,

The Rev. H. E. Graham of Hendon, to Elizabeth, eldest daughter of Sir George Leeds, Bart.

Sir Will. Leeds, Bart. of Croxton Park, Cambridgeshire, to Eleanor, second daughter of Owsley Rowley, Esq.

August.

Walter, eldest son of Richard Long, Esq. late M. P. for Wilts, to Mary Anne, second daughter of the Right Hon. Archibald Colquhoun, Lord Register of Scotland.

Sir H. R. Calder, Bart. of Park House, Kent, to Lady Frances Selina Pery, third daughter of the Earl of Limerick.

James Macdonald, Esq. eldest son of Sir Archibald Macdonald, to the Lady Sophia Keppel, eldest daughter of the Earl of Albemarle.

Lieut.-col. Hon. James H. Keith Stewart, M. P. to Henrietta Anne, second daughter of the Rev. Spencer Madan, D.D.

Lieut.-col. Steele, Coldstream Guards, to Lady Eliz. Montague, daughter of the duke of Manchester.

The Earl of Roseberry, to Hon. Miss Anson, sister of Lord Viscount Anson.

Octavius Henry, fourth son of Will. Smith, Esq. M. P. to Jane, daughter of T. W. Cooke, Esq. of Hertford-street, May-fair.

The Earl of St. Germain's, to Harriet, daughter of the Right Hon. Reginald Pole Carew.

J. W. Grieve, Esq. 2nd reg. Life Guards, to Hon. Mrs. Sidney Bowles, youngest daughter of the late, and sister of the present, Lord Northwick.

Sept.

112 ANNUAL REGISTER, 1819.

September.

Edward Stanley, Esq. of Cross Hall, Lancashire, to Lady Mary Maitland, second daughter of the Earl of Lauderdale.

Col. Thomas White, to the Hon. Juliana Vereker, daughter of Lord Viscount Gort.

Sir Arthur Chichester, Bart. to Charlotte, youngest daughter of Sir James Hamlyn Williams, Bart.

Sir J. Walter Pollen, Bart. of Redham, Hants, to Charlotte Elizabeth, only daughter of the late Rev. J. Craven.

Sir Edward Stanly Smith, Bart. to Elizabeth, daughter of Dennis Duggin, Esq.

Lord Viscount Belgrave, to Lady Eliz. Mary Leveson Gower, youngest daughter of the late Marquis of Stafford.

October.

Major-gen. Sir Herbert Taylor, to Charlotte Albinia, eldest daughter of the late Edward Disbrowe, Esq.

At Ratisbon, Count Charles Westerholt, to his cousin, Miss Harriet Spencer, youngest daughter of the Hon. W. R. Spencer.

At Vienna, the Prince Royal of Saxony, to the Archduchess Caroline of Austria.

Sir James Dalrymple Hay, Bart. to Elizabeth, eldest daughter of Lieut.-gen. Sir John Heron Maxwell, Bart.

November.

Sir Nicholas Cosway Colthurst, Bart. M. P. for the city of Cork, to Elizabeth, only child of

George Vesey, Esq. of L. House.

Lord Dacre to Mrs. Wilme

December.

R. P. Smith, Esq. M. P. Eliza, daughter of the late I. Breton, Esq.

Col. Farquharson, to Rebecca, fourth daughter of the late G. Colquhoun, Bart.

W. Wrixon Becher, Esq. M. P. for Mallow, Ireland, to O'Neill.

Sir Richard Sutton, Bart. to Mary Elizabeth, daughter of late B. Burton, Esq.

Major-gen. Riall, Governor of Grenada, to the eldest daughter of the late James Scarlett, of Jamaica.

Lieut.-col. E. C. Fleming, to Charlotte, youngest daughter of the late Lieut.-gen. St. Leg

PROMOTIONS AND APPOINTMENTS.

February.

Hon. Edward Stuart, and William Thomas Roe, Commissioners of Customs.

Henry Davis, esq. to be Sheriff of the county of Pembroke. John Chamber Jones, esq. Sheriff of the county of High.

March.

A new commission to the Admiralty, including the names of Sir G. Clerk.

The Earl of Fife, a Lord of Bedchamber.

ber, *vice* Earl Poulet,
l.

Earl of Morton, his Ma-
ommissioner to the Ge-
sembly of the Church of
, *vice* Earl of Errol.

Lords of the Treasury,
verpool, Mr. Vansittart,
keley Paget, Viscount
, Lord H. Somerset, the
Maxwell Barry, Mr.
er Mc'Naghten.

vid Baird to be Gover-
insale.

April.

ge Giffard, esq. to be
stice.

'Carrick, Representative
reland, *vice* Northland.
Belhaven, one of the
Peers of Scotland, *vice*

May.

arl of Aylesbury made
f the Thistle.

xwell, esq. Governor of
topher's.

F. Whittingham, Gover-
omunica.

ight Hon. Charles Grant,
the Privy Council.

s Warren, Esq. Attorney
to the Prince of Wales.

June.

Gen. Sir W. Lumley,
and Commander in
he Bermuda Islands.

Richardson, Esq. one of
es of the Court of Com-
s.

uper Best, Esq. one of
s of the Court of King's-

Earl of Stamford and
LXI.

Warrington, to be Lieutenant of
the County of Chester; the Mar-
quis of Lothian, to be Lieut. and
Sheriff Depute of the Shire of
Mid Lothian; and the Marquis
of Queensberry, to be Lieut. and
Sheriff Principal of the Shire of
Dumfries.

Sir S. Shepherd, made Chief
Baron of the Court of Exchequer
in Scotland.

A. Maconochie, Esq. late Lord
Advocate, made one of the Lords
of Session and Justiciary in Scot-
land.

Sir W. Rae, Lord Advocate.

July.

Sir W. Young, K. G. C. B. and
Admiral of the Red, to be Vice-
Admiral of the United Kingdom;
and Sir J. Saumarez, K. G. C. B.
and Admiral of the Blue, to be
Rear-Admiral of the United
Kingdom.

Sir R. Gifford is appointed At-
torney General; and Serjeant
Copley Solicitor General.

Mr. Casberd is appointed to the
seat of a Judge in the Principality
of Wales, *vice* Abel Mosey, Esq.
resigned.

Henry Revell Reynolds, Esq.
Barrister at Law, to be a Com-
missioner for the relief of Insol-
vent Debtors, *vice* Mr. Serjeant
Runnington.

Sir Miles Nightingale invested
by the Prince Regent with the
insignia of a Knight Commander
of the Bath.

Alexander Keith, Esq. knighted,
and appointed Knight Marshal of
Scotland.

Lieut. Col. A. Allen, of the
East India Company's service,
created a Baronet.

August.

Henry Petrie, Esq. appointed Keeper of the Records in the Tower.

Robert Kerr, Esq. (commonly called Lord Robert Kerr), Secretary to the Order of the Thistle.

Sir G. Murray, Governor of the Royal Military College, *vice* Hope, and Sir A. Hope, Governor of Edinburgh Castle, *vice* Murray.

A considerable number of the officers of the Royal Artillery were directed to take rank by Brevet.

September.

Rear Admirals Beresford and Blackwood, Knights Commanders of the Bath.

Sir W. A'Court, Minister Plenipotentiary to the Court of Naples, a Knight Grand Cross of the Bath.

October.

The Earl of Stamford and Warrington, to be Lord Lieut. of the County and City of Chester.

Lieut. Gen. Sir J. Oswald, to be Col. *vice* Duke of Richmond, deceased.

Duke of Wellington, Governor of Plymouth, *vice* the same.

Rev. J. Robinson of Rokeby Hall, created a Baronet.

General Sir John Francis Cradock, G. C. B. and heirs male, a Baron of Ireland, by the title of Baron Howden.

Lieut. Gen. the Earl of Dalhousie, to be Captain General and Governor in Chief of the Provinces of Lower and Up-

per Canada, Nova Scotia, New Brunswick and the Islands of Prince Edward and Cape Breton; also Sir James Kempt to be Lieut. Governor of Nova Scotia and its dependencies.

Major General Sir G. Cooke, Lieut. Governor of Portsmouth, *vice* Kempt.

November.

The Earl of Egremont, to be Lord Lieutenant of Sussex.

Lord Lascelles, Lord Lieutenant of the West Riding of Yorkshire.

John Cartwright, Esq. Consul General in Turkey.

James Yeames, Esq. Consul General in the Russian Ports in the Black Sea.

The Earl of Craven, to be Lord Lieutenant of Berks, *vice* Earl of Radnor, resigned.

Major Gen. Sir James Kempt, to be Lieutenant General in North America only.

The Gazette contains orders for the Court's going into mourning for Charles IV, late King of Sardinia, and for the late Duchess Dowager of Brunswick.

ECCLESIASTICAL PREFERMENT.

The very Reverend Dr. Saurin, Dean of Derry, to be Bishop of Dromore.

GAZETTE PROMOTIONS.

Nov. 20. Sir E. Nagle, one of the Grooms of his Majesty's Bedchamber, *vice* Sir J. Cradock.

Lieut. Col. J. Freemantle, of the Coldstream Guards, Deputy Adjutant

General to the forces
land of Jamaica.

December.

Major Keane, to be
Brevet Lieutenant Col.
t, to be Major. Brevet
brahams, to be Major.
on Murray, to be Surgeon
nces.

At his seat, Co. of Tipperary,
in his 44th year, the Right Hon.
Richard Butler, Earl of Glengall,
a Governor of the County of
Tipperary, and a Trustee of the
Linen Manufacture.

Charles IV, the former King
of Spain and the Indies, died at
Rome on the 20th of January.

February.

At Ashton Hall, Lancashire,
in his 80th year, Archibald Duke
of Hamilton, Brandon, and Cha-
telherault.

At Chichester, in his 59th year,
Sir George Murray, K. C. B.
Vice Admiral of the Red.

March.

On the 3rd of this month, the
celebrated German writer, Au-
gustus von Kotzebue was assassi-
nated at Manheim by a student
of Jena, named Charles Sandt,
son of a Counsellor of Justice at
Wunsiedel.

On March 12, the Right Rev.
John Parsons, D. D. Lord Bishop
of Peterborough, and Master of
Baliol College, Oxford.

On March 25, at the age of 84,
Right Hon. Lady Eliz. Drum-
mond, widow of Henry Drum-
mond, Esq. and daughter of
George fourth Earl of North-
ampton.

On March 30, died in her 65th
year, Anne Dowager Marchioness
Townshend, relict of the first
Marquis Townshend, of Rainham
Hall, Norfolk. She was daughter
of the late Sir William Montgo-
mery, Bart., and has left an ex-
tensive circle of relations and

DEATHS.

January.

seat in the county of
don in his 81st year, the
Hon. Maurice Mahon,
artland, a Governor of
ty of Roscommon.

mers Town, in his 81st
r. John Wolcot, well
the literary world, un-
ame of *Peter Pindar*.

er lady Williams, relict
vid Williams, Bart.

hn Courtenay Throck-
Bart.

e, Countess of Ilches-

ght Hon. Earl Poulett,
tenant, and Custos Ro-
of the County of Somer-
63d year.

new forest, in his 47th
Earl of Errol, one of the
peers of Scotland, here-
rd High Constable and
fareschal of Scotland.

71st year, the Countess
of Sefton.

ry Tempest, Bart.

slie House, Fifeshire,
Evelyn, Countess of

friends to deplore the loss of one of the most amiable of women.

At Paris, in his 67th year, the Right Hon. Charles, ninth Lord Dormer, of Peterley House in the county of Buckingham and Grove Park in the county of Warwick. His funeral obsequies, according to the Church of Rome, in which communion his Lordship lived and died, were performed at St. Roche on the 5th instant. He died unmarried.

In Clarges Street, Bath, in her 69th year, Charlotte Countess Onslow.

April.

On April 26, in her 83rd year, Mary Countess Dowager Poulett.

Sir John Buchanan Riddell, Bart., M. P. for the Burghs of Selkirk, Peebles, Linlithgow and Lanark.

Lord Reston, one of the Senators of the College of Justice of Scotland.

At Lisbon, Charles W. Montague Scott, Duke of Buccleugh, Lord Lieutenant of the Counties of Edinburgh and Dumfries and a Knight of the Thistle.

May.

In her 86th year, the Hon. Lady Pitt, relict of the late General Sir William Augustus Pitt. She was sister to the late Admiral Earl Howe, and to General Viscount Howe.

The Right Hon. Lady Mary Meares, third daughter of Robert, late Earl of Kingston, and wife of George Meares, Esq.

At Edinburgh, the Right Margaret, Countess of Buchan, wife to the present Earl of Buchan.

At Paris, John Robinson, M.P. of Denston Hall, Suffolk.

June.

The Hon. Arabella, wife of General Frederick St. John, sister to the Earl of Craven.

Sir William Heathcote, Bart. After he succeeded his father he represented the county of Southampton in three continued Parliaments, but retired from public life on account of ill health. He was succeeded by his son, now Sir Thomas Heathcote, Bart.

Sir John Morris, Bart. of Montgomery, Glamorganshire.

Mary Anastasia Grace, Countess of Mordaunt, second daughter of Charles fourth Earl of Devonshire.

At Smeaton, near Edinburgh, at the age of 81, Sir George Hepburn, Bart.

July.

At her apartments in Kensington Palace, in her 82nd year, Porten, relict of the late Stanier Porten, Knight.

In Upper Grosvenor Street, her 79th year, Sarah, Lady widow of Sir Thomas Cave, mother of the late Sir Thomas Cave.

In Berkeley Square, Thomas Graham, Esq. M. P. for the counties of Kinross and Clackmannan.

At Fulham House, Har-

aged 77, Sir James Sibbald.

August.

the 28th in Canada, of province he was governor, his Grace Charles fourth Richmond, of that terrific the hydrophobia. It attained whilst on an official journey through the Upper province, proved fatal after four days of suffering. The wound inflicted about six weeks ago by a lap-dog, which he mortally after. His Grace had previously borne the office of lord lieutenant of

September.

Inverness, in her 78th year, relict of the Hon. John Fraser of Lovat, and daughter of the late Sir William

Edinburgh, Dame Matilda Cochrane Wishart, wife of Thomas Cochrane, and daughter of the late Sir Charles Wishart.

Right Hon. Lady Essex, eldest surviving daughter of the Duke of Roxburgh.

On the 7th of September, at Palace, in his 77th year, died the Lord Archbishop of Canterbury, Primate of Connaught, of Ardagh, and a Privy Counsellor in Ireland. He was the eldest son of Marcus Beresford, Earl of Tyrone, and was the first Marquis of Beresford. He was consecrated Bishop of Dromore in 1780, of Ossory in 1782, and

was translated to the Archbishopric of Tuam in 1794. He married in June 1763, Elizabeth Fitzgibbon, second daughter of John Fitzgibbon, Esq. of Mount Shannon, by whom he had ten sons and six daughters.

At Eastbourn, Sussex, Sir Arthur Piggott, formerly Attorney General, M. P. for the borough of Arundel for four successive parliaments.

At his son's house after a short illness, in his 61st year, Sir Edward Knatchbull, Bart., one of the Representatives for the county of Kent during six parliaments. He was a zealous supporter of Mr. Pitt's administration; but men of all parties will acknowledge that during 25 years he attended to his Parliamentary and Magisterial duties with a firmness, vigilance and integrity, which may be equalled, but is rarely excelled.

October.

Gertrude Brand, Baroness Dacre. In 1771, she married Thomas Brand of the Hoo, Hertfordshire, by whom she had issue, Thomas, the Member for Hertfordshire, now Lord Dacre; Henry, Lieutenant Colonel in the Coldstream Guards; and one daughter.

5th. At Vevay in Switzerland, on his return home, John Somerville, Baron Somerville, of Scotland. The late Lord was born in 1765 at Somerville Aston, in Somersetshire. After receiving his education at Cambridge, he made the tour of Europe, accompanied by the late Duke of Bedford. He was high in the favour of his sovereign, and bore for several

several years the office of one of the Lords of his Majesty's Bedchamber. In the parliament elected in 1796, he sat as one of the Sixteen Scots Peers.

In his 29th year, the Hon. Frederic Sylvester North Douglas, only son of Lord Glenbervie, and M. P. for Banbury. He was married in July last to Harriet, eldest daughter of William Wrighton, Esq.

At Hall Place, Berks, in his 83rd year, Sir William East, Bart.

At the Hague, on the 15th of October, the Princess Dowager of Brunswick Lunenburg, sister of the King of the Netherlands.

At Kibroy, co. Tipperary, the Right Hon. Maria, Baroness Dunalley. She was the only daughter of Dominick Trant, Esq. and was married in 1802, to Henry Prittie, Lord Dunalley, by whom she had no issue.

November.

At Doneraile House, in the county of Cork, in his 65th year, the Right Hon. Hayes St. Leger, Viscount Doneraile, a Governor of the county of Cork. He was born in March 1755, and married in 1785 Charlotte Bernard, sister of Francis, Earl of Bandon, by whom he left two daughters and an only son. His lordship possessed very extensive estates in the counties of Cork and Waterford, and principally resided at his beautiful seat at Doneraile, where he was much beloved.

On the 22nd at Charlton House

Wilts, in the 82nd year of her age, the Right Honourable Julia Countess of Suffolk and Berkshire.

December.

At Tunbridge Wells, the most Rev. Euseby Cleaver, D. D. Lord Archbishop of Dublin and Bishop of Glandelagh, Primate of Ireland, Chancellor of the Order of St. Patrick and Visitor of Trinity College, Dublin. After residing some time in Ireland, he married a lady of that country, by whom he had several children, and who died much lamented in 1816.

In her 76th year, Lady Anne Fitzwilliam, sister of the present Earl.

Aged 64, Emily, wife of the Right Hon. Lord Henniker.

Dec. 14. At Eglinton Castle, Ayrshire, the Right Hon. Hugh Montgomerie Earl of Eglinton Lord Montgomerie and Kilwinning, Knight of the Order of the Thistle, Lord Lieut. of Ayrshire, one of the State Counsellors of the Prince of Wales. His lordship was the son of Alexander Montgomerie, Esq. of Cuilsfield. He married Eleanora, daughter of J. Hamilton, Esq. By this lady he had several children, only two females of whom are living. He succeeded his cousin Archibald, as Earl of Eglinton in 1796.

At Kinsale, the Right Hon. Susan, Baroness Kinsale. She was daughter of Conway Blennerhasset, Esq. and was married in 1763 to John de Courcy, 26th Lord Kinsale, by whom she has left issue.

APPENDIX

APPENDIX TO CHRONICLE.

Convention between his Britannic Majesty and the United States of America. Signed at London, October 20th, 1818.

HIS majesty the king of the United Kingdom of Great Britain and Ireland, and the United States of America, desirous to cement the good understanding which happily subsists between them, have, for that purpose, and their respective plenipotentiaries, that is to say, his majesty on his part, has appointed his right hon. Frederic John Robinson, treasurer of his majesty's exchequer and president of the committee of privy council for trade and plantations; and Henry John Gurney, esq. one of his majesty's under secretaries of state; and the president of the United States has appointed Albert Gallatin, their envoy extraordinary and minister plenipotentiary to the court of France; and James Monroe, esq. their envoy extraordinary and minister plenipotentiary to the court of his Britannic majesty: who, after having signed their respective full powers, found to be in due and proper form, have agreed to and concluded the following articles:

Art. I. Whereas differences have arisen respecting the liberty claimed by the United States, for the inhabitants thereof, to take, dry and cure fish, on certain coasts, bays, harbours and creeks, of his Britannic majesty's dominions in America, it is agreed between the high contracting parties, that the inhabitants of the said United States shall have for ever, in common with the subjects of his Britannic majesty, the liberty to take fish of every kind on that part of the southern coast of Newfoundland which extends from Cape Ray to the Ramcau islands, on the western and northern coast of Newfoundland, from the said Cape Ray to the Quipron islands on the shores of the Magdalen islands, and also on the coasts, bays, harbours and creeks, from Mount Joly, on the southern coast of Labrador, to and through the Straights of Belleisle, and thence northwardly indefinitely along the coast, without prejudice however to any of the exclusive rights of the Hudson's Bay Company. And that the American fishermen shall also have liberty, for ever, to dry and cure fish in any of the unsettled bays, harbours,

bours and creeks, of the southern part of the coast of Newfoundland hereabove described, and of the coast of Labrador; but so soon as the same, or any portion thereof, shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such portion so settled, without previous agreement for such purpose, with the inhabitants, proprietors, or possessors of the ground. And the United States hereby renounce for ever, any liberty heretofore enjoyed or claimed by the inhabitants thereof, to take, dry, or cure fish, on or within three marine miles of any of the coasts, bays, creeks or harbours of his Britannic majesty's dominions in America, not included within the above-mentioned limits: provided, however, that the American fishermen shall be admitted to enter such bays or harbours, for the purpose of shelter and of repairing damages therein, of purchasing wood, and of obtaining water, and for no other purpose whatever. But they shall be under such restrictions as may be necessary to prevent their taking, drying, or curing fish therein, or in any other manner whatever abusing the privileges hereby reserved to them.

Art. 2. It is agreed that a line drawn from the most north-western point of the lake of the woods, along the forty-ninth parallel of north latitude, or, if the said point shall not be in the forty-ninth parallel of north latitude, then that a line drawn from the said point due north or south, as the case may be, until the said line shall intersect the said paral-

lel of north latitude, and from the point of such intersection due west along and with the said parallel, shall be the line of demarcation between the territories of his Britannic majesty and those of the United States, and that the said line shall form the southern boundary of the said territories of his Britannic majesty, and the northern boundary of the territories of the United States, from the lake of the woods to the Stony Mountains.

Art. 3. It is agreed, that any country that may be claimed by either party on the north-west coast of America, westward of the Stony Mountains, shall, together with its harbours, bays and creeks, and the navigation of all rivers within the same, be free and open for the term of ten years from the date of the signature of the present convention, to the vessels, citizens and subjects of the two powers: it being well understood, that this agreement is not to be construed to the prejudice of any claim which either of the two high contracting parties may have to any part of the said country, nor shall it be taken to affect the claims of any other power or state to any part of the said country, the only object of the high contracting parties, in that respect, being to prevent disputes and differences amongst themselves.

Art. 4. All the provisions of the convention "to regulate the commerce between the territories of his Britannic majesty and of the United States," concluded at London, on the 3rd day of July, in the year of our Lord 1815, with the exception of the clause which

APPENDIX TO CHRONICLE. 121

ed its duration to four
excepting also, so far
as was affected by the
of his majesty re-
the island of St. Helena,
extended and conti-
ce for the term of ten
the date of the signa-
present convention, in
manner as if all the
of the said convention
specially recited.

Whereas it was agreed
article of the treaty
that "all territory,
possessions whatso-
by either party from
during the war, or
be taken after the
this treaty, excepting
lands hereinafter men-
ll be restored without

without causing any
, or carrying away any
lery or other public
originally captured in
orts or places, which
n therein upon the ex-
the ratifications of this
ny slaves or other pri-
rty;"—and whereas,
aforesaid article, the
tes claim for their citi-
as their private pro-
stitution of, or full
on for, all slaves who,
e of the exchange of
tions of the said treaty,
y territory, places, or
whatsoever, directed
l treaty to be restored
ited States, but then
ied by the British
ther such slaves were,
aforesaid, on shore, or
ny British vessel, lying
within the territory or
of the United States;

and whereas differences have
arisen, whether, by the true in-
tent and meaning of the aforesaid
article of the treaty of Ghent,
the United States are entitled to
the restitution of, or full com-
pensation for all or any slaves, as
above described, the high con-
tracting parties hereby agree to
refer the said differences to some
friendly sovereign or state, to be
named for that purpose; and the
high contracting parties further
engage to consider the decision
of such friendly sovereign or state
to be final and conclusive on all
the matters referred to.

Art. 6. This convention, when
the same shall have been duly ra-
tified by his Britannic majesty
and the president of the United
States, by and with the advice
and consent of their senate, and
the respective ratifications mu-
tually exchanged, shall be bind-
ing and obligatory on his majesty
and on the said United States;
and the ratifications shall be ex-
changed in six months from this
date, or sooner if possible.

In witness whereof, the re-
spective plenipotentiaries have
signed the same, and have there-
unto affixed the seal of their
arms.—Done at London, this
20th day of October, 1818.

(L. S.) FRED. JOHN ROBIN-
SON.

(L. S.) HENRY GOULBURN.

(L. S.) ALBERT GALLATIN.

(L. S.) RICHARD RUSH.

PROCLAMATION.

*In the name of his Majesty George
III., of the United Kingdom of
Great Britain and Ireland,
King, Major-general Ralph
Darling,*

Darling, commanding in the island of Mauritius, &c.

The major-general commanding had encouraged the hope, from the anxiety he had manifested for the prosperity of the colony and the welfare of its inhabitants, that he should have found a corresponding disposition on the part of every class of his majesty's subjects to promote the laudable and beneficent views of government.

The major-general regrets his disappointment in this just and reasonable expectation, certain individuals having carried their disobedience of the laws to an extent which calls for the prompt interference of the government, in order to prevent, by legal but severe measures, those daily violations, which, though public and notorious, no one will assist in bringing to justice, and but too many are ready to protect and conceal. The inhabitants, therefore, who, as good subjects, should unite in putting a stop to the slave-trade, which is carrying on at this moment with a vigour as peculiar to this island as it is disgraceful to the station which it fills in the civilized world, cannot be surprised that the adoption of any measure, which may hold out a prospect of efficiency for the object it has in view, can no longer be influenced by any consideration of inconvenience to the community at large. The restraint which was lately removed from the fishery, out of consideration to the inhabitants, will be again immediately enforced.

New negroes in considerable numbers have lately been smug-

gled into the island, through means of the fishermen. The men, on the major-general's val, implored the government to remove the restrictions which had been imposed on the exercise of their occupation. Naturally relying that an indulgence anxiously solicited would not be abused, the major-general, in proof of his confidence, at once complied with their wishes, and restored to them the full and unrestrained exercise of their employment.

It could hardly be supposed that this indulgence would be perverted to the worst purposes. The fact, however, is disputable; and those who have acted thus must take the consequences.

Every one of these men, through the indulgence of government, has been permitted to establish himself on the "Geometrique," shall be removed as that situation affords facilities to the slave trade which cupidity cannot withstand.

There are others in the employment of still more extensive indulgencies, who, there is reason to apprehend, lend themselves to this traffic. They may be assured, that no consideration will screen them from the just intervention of government, and its favour shall be instantly drawn from those who shall be found, even in the most remote degree, encouraging or countenancing it.

The major-general, to convince them how hopeless and ruinous their cause is, and as a means of bringing them to a sense of

APPENDIX TO CHRONICLE. 123

has this opportunity of increasing the military posts on the coast, and of placing posts on every point of landing of slaves shall be permitted. The proprietors can prevent they do not, they must the consequences.

Major-general would be his warning shall have the awakening the deluded of their situation; the of Philibert, Tregrosse ensac, who were sent to last year, and have been led to three years' confinement hard labour, should be to deter even the most ed. Those who still cannot long escape its government will never its exertions, until they brought to that punishment the law has attached crimes, and which will be by the transmission of spirit in England.

Major-general command- in consequence been o order, and it is hereby accordingly—

The proclamation of February, 1819, is re- and the proclamation of May, 1818, is declared to in full force from this

The present procla- shall be read and entered records of the courts and of this island; and an copy shall be addressed our the chief judge and ary of justice.

Port Louis, island of Mauri-
tius, this 16th day of July, 1819.

R. DARLING, Major-
Gen. Commanding.

By order, A. W. BLANE, Dep.
Sec. to Govern-
ment.

By his royal highness the Prince
of Wales, regent of the United
Kingdom of Great Britain and
Ireland, in the name and on
the behalf of his majesty.

A PROCLAMATION.

George, P. R. — Whereas, in
diverse parts of Great Britain,
meetings of large numbers of his
majesty's subjects have been held
upon the requisition of persons
who, or some of whom, have,
together with others, by sedi-
tious and treasonable speeches
addressed to the persons assem-
bled, endeavoured to bring into
hatred and contempt the govern-
ment and constitution established
in this realm, and particularly the
Commons House of Parliament,
and to excite disobedience to the
laws, and insurrection against his
majesty's authority.

And whereas it hath been re-
presented unto us, that at one of
such meetings the persons there
assembled, in gross violation of
the law, did attempt to constitute
and appoint, and did as much as
in them lay constitute and ap-
point, a person, then nominated,
to sit in their name and on their
behalf in the Commons House of
Parliament; and there is reason
to believe that other meetings are
about to be held for the like un-
lawful purpose.

And whereas many wicked and
seditious

sedition writings have been printed, published and industriously circulated, tending to promote the several purposes aforesaid, and to raise groundless jealousies and discontents in the minds of his majesty's faithful and loyal subjects.

And whereas we have been farther given to understand, that with a view of the better enabling themselves to carry into effect the wicked purposes aforesaid, in some parts of the kingdom, men, clandestinely and unlawfully assembled, have practised military training and exercise.

And whereas the welfare and happiness of this kingdom do, under Divine Providence, chiefly depend upon a due submission to the laws, a just reliance on the integrity and wisdom of parliament, and a steady perseverance in that attachment to the government and constitution of the realm, which has ever prevailed in the minds of the people thereof: and whereas there is nothing which we so earnestly wish as to preserve the public peace and prosperity, and to secure to all his majesty's liege subjects the entire enjoyment of their rights and liberties.

We, therefore, being resolved to repress the wicked, seditious and treasonable practices aforesaid, have thought fit, in the name and on the behalf of his majesty, and by and with the advice of his majesty's privy council, to issue this our Royal Proclamation, solemnly warning all his majesty's liege subjects to guard against every attempt to overthrow the law and to subvert

the government so happily established within this realm; and to abstain from every measure consistent with the peace and good order of society, and earnestly exhorting them, at all times and to the utmost of their power, to avoid and discountenance all proceedings tending to produce the evil effects above described.

And we do strictly enjoin his majesty's loving subjects to forbear from the practice of such military training and exercise as aforesaid, as they answer the contrary thereof under their peril.

And we do charge and command all sheriffs, justices of peace, chief magistrates of boroughs and corporations, and all other magistrates throughout Great Britain, that they do, in their respective jurisdictions, make diligent inquiry in order to discover and bring to justice the authors and printers of wicked and seditious writings aforesaid, and all who shall circulate the same; and that they do use their best endeavours to bring to justice all persons who have been or may be guilty of uttering seditious speeches and writings, and all persons concerned in any riots or unlawful assemblies, which, on whatever pretext they may be grounded, are not only contrary to law, but dangerous to the most important interests of the kingdom.

Given at the court at Cambridge House, this 30th day of January, 1819, and in the 59th year of his majesty's reign.

GOD SAVE THE KING.

APPENDIX TO CHRONICLE. 125

ks of the Prince Regent to Manchester Magistrates and manry.

Whitehall, Aug. 21.

Lord,—Having laid before Prince Regent the accounts mitted to me from Manchester of the proceedings at that on Monday last, I have commanded by his royal ess to request that your ip will express to the mates of the county palatine of ster, who attended on that the great satisfaction deby his royal highness from prompt, decisive and effimeasures for the preservaof the public tranquillity; likewise that your lordship communicate to major Trafis royal highness's high apation of the support and asce to the civil power affordn that occasion by himself the officers, non-commisil officers and privates, servider his command.

I have the honour, &c.

(Signed) SIDMOUTH.

earl of Derby, &c. &c. &c.
Knowsley.

B. A similar letter was add to lord Stamford, reing the Cheshire magistrates eomanry.

rs relating to the Congress at Aix-la-Chapelle in October and vember, 1818.

—Convention between his tannic majesty and his most istian majesty, for the evation of the French territory the allied troops.—Signed Aix-la-Chapelle, October 9, 8.

In the name of the Most Holy and Undivided Trinity.

Their majesties the emperor of Austria, the king of Prussia and the emperor of all the Russias, having repaired to Aix-la-Chapelle; and their majesties the king of the united kingdom of Great Britain and Ireland and the king of France and Navarre, having sent thither their plenipotentiaries; the ministers of the five courts have assembled in conference together; and the plenipotentiary of France having intimated, that in consequence of the state of France and the faithful execution of the treaty of November 20, 1815, his most Christian majesty was desirous that the military occupation stipulated by the fifth article of the said treaty, should cease as soon as possible, the ministers of the courts of Austria, Great Britain, Prussia and Russia, after having in concert with the said plenipotentiary of France, maturely examined every thing that could have an influence on such an important decision, have declared, that their sovereigns would admit the principle of the evacuation of the French territory at the end of the third year of the occupation; and wishing to confirm this resolution by a formal convention, and to secure, at the same time, the definitive execution of the said treaty of November 20, 1815,—his majesty the king of the united kingdom of Great Britain and Ireland, on the one part, and his majesty the king of France and Navarre on the other part, have, for this purpose, named as their plenipotentiaries, viz. His majesty the king of the united kingdom of

of Great Britain and Ireland, the right hon. Robert Stewart, viscount Castlereagh, knight of the most noble and illustrious order of the Garter, a member of the imperial parliament of Great Britain and Ireland, colonel of the Londonderry regiment of militia, a member of his Britannic majesty's most honourable privy council, and his principal secretary of state for foreign affairs, &c. &c. and the most excellent and most illustrious lord Arthur, duke, marquis and earl of Wellington, marquis Douro, viscount Wellington of Talavera and of Wellington, and baron Douro of Wellesley; a member of his Britannic majesty's most honourable privy council, a field marshal of his forces, colonel of the royal regiment of horse-guards, knight of the most noble and most illustrious order of the Garter, and knight grand cross of the most honourable military order of the Bath; prince of Waterloo, duke of Ciudad Rodrigo, and a grandee of Spain of the first class, duke of Vittoria; marquis of Torres Vedras, conde of Vimeira in Portugal, knight of the most illustrious order of the Golden Fleece, of the military order of St. Ferdinand of Spain, knight grand cross of the imperial military order of Maria Theresa, knight grand cross of the military order of Saint George of Russia, of the first class, knight grand cross of the royal and military order of the Tower and Sword of Portugal, knight grand cross of the royal and military order of the Sword of Sweden, &c. &c. &c.—And his majesty the king of France and Navarre, the sieur

Armand Emanuel du Richelieu, duke of I peer of France, knight royal and military order Louis, of the royal order Legion of Honour, an orders of Saint Andre Alexander Newsky, Saint Saint Wladimir and Saint of Russia; his first gentleman of the chamber, his minister secretary of state for foreign affairs, and president of the of his ministers;—who having mutually committed to each other their respective powers, found to be in due form, have agreed the following articles:

Art. I.—The troops of the army of occupation withdrawn from the territory of France by the 30th of November next, or sooner, if possible.

Art. II.—The strongholds and fortresses which the troops occupy, shall be delivered to commissioners named by the powers, on the part of his majesty, in the state in which they were at the time of occupation, conformably to the ninth article of the convention concluded in execution of the fifth article of the treaty of the 20th of November 1815.

Art. III.—The sum due to the army of occupation for the pay, transport and the clothing of the troops of the army of occupation shall be paid, in all cases, by the 30th of November, on the same footing on which it existed since the 1st of January 1817.

Art. IV.—All the accretions between France and the other powers having been regulated

PENDIX TO CHRONICLE. 327

sum to be paid by complete the execution of the article of the treaty of 20th, 1815, is defined at 265 millions of

— Of this sum the 100 millions, effective to be paid by inscriptions on the great public debt of France, rest from the 22nd of 1818. The said instalment shall be received at the funds on Monday the 1st, 1818.

— The remaining 165 millions shall be paid by nine instalments, commencing the 1st of January next, by the houses of Hope and Baring, Brothers and Co., as well as the interest on the *rentes*, mentioned in the article, shall be delivered by the commissioners of the Emperor of Austria, Great Britain, and Russia, by the royal government of France, at the time of the complete and definitive settlement of the French territory.

— At the same period the commissioners of the said Emperor shall deliver to the royal government of France the six bonds discharged, which shall be in their hands, of the five millions delivered conformably to the article of the concluded for the execution of the fourth article of the treaty of 20th, 1815. The commissioners shall, at the same time, deliver the inscriptions for ten millions of *rentes*, in virtue of the eighth article of the said convention.

Art. VIII.—The present convention shall be ratified, and the ratifications thereof exchanged at Aix-la-Chapelle in the space of a fortnight, or sooner if possible.—In witness whereof the respective plenipotentiaries have signed the same, and have thereunto affixed the seal of their arms. Done at Aix-la-Chapelle, the 9th day of October, in the year of our Lord 1818.

(L. S.) CASTLEREAGH.
(L. S.) WALLINGTON.
(L. S.) RICHELIEU.

No. II.—Protocol between the five Cabinets, signed at Aix-la-Chapelle, the 8th of November, 1818.

The duke de Richelieu represented at the conference, that the terms for the payment of the 265 millions to be furnished by France, according to the convention of the 9th of October, having been fixed at very near periods, a too rapid exportation of specie has been occasioned, which tends to produce a depreciation in the inscriptions of *rentes*, equally injurious to the interests of all the contracting parties. To remedy this inconvenience, the duke de Richelieu proposed the following arrangements:—

1st. That the 165 millions which France ought to discharge, according to the sixth article of the convention, by nine equal monthly instalments, from the 6th of January to the 6th of September next, shall be paid by twelve monthly instalments, from the 6th of January to the 6th of December inclusive; the interest for the delay of three months being

being made good by France, at the rate of five per cent.

2d. That the 100 millions to be discharged by inscriptions of *rentes*, according to the fifth article of the said convention, and for which the different governments have treated with Messrs. Baring and Hope, shall be realized by payments made at the same epochs, and with the same allowance of interest, by the drawers, on account of the delay which shall be granted them.

3. That arrangements shall be adopted with the above-mentioned houses, in order that the bills drawn upon them, conformably to Article VI. may be paid in assets at the different places which may suit the convenience of the governments interested, in such a manner as to effect their discharge, and avoid the removal of too great a mass of specie.

M. M. the ministers and plenipotentiaries of Austria, Great Britain, Prussia and Russia, were unanimously of opinion to admit the proposition of the duke of Richelieu, with the proviso that, with respect to Article III. particular arrangements shall be contracted with Messrs. Baring and Hope, to fix the terms on which the assets in foreign funds shall be accepted; and also that, in order to facilitate these arrangements, Mr. Baring should be invited to come to Aix-la-Chapelle, to take measures for that purpose, in concert with the persons charged with this business.

Prince Hardenberg moreover placed on the Protocol the subjoined observations and reservations, relative to the private arrangement that the Prussian go-

vernment entered into with Messrs. Baring, for the part of the payments stipulated by the convention of the 9th of October, which accrue to the said government.

(Signed) METTERNICH.
CASTLEREAGH.
WELLINGTON.
HARDENBERG.
BERNSTORFF.
NESSELRODE.
CAPO D'ISTRIA.

Subjoined to the Protocol of the 3rd November, 1818.

If the Prussian government consents to the proposed modifications of the pecuniary stipulations of the convention of the 9th of October, it is in the threefold supposition—1st. That its private arrangement with Messrs. Hope and Co., and Baring, Brothers, and Co., remain entire, except with regard to such modifications as the Prussian government may ultimately agree upon with those houses.—2nd. That the loss which may result from the proposed payment in assets, upon foreign places, shall be made good to the allied sovereigns; and—3rd. That the guarantee already stipulated for the payments agreed upon, shall also extend to the more remote periods now required.

No. III.—PROTOCOL between the five Cabinets. Aix-la-Chapelle, Nov. 11, 1818.

According to Articles 5 and 6, of the convention signed on the 9th of October last, between France and the courts of Austria, Great Britain, Prussia and Russia, the sum of 265 millions of francs (still remaining to be paid by France for the entire fulfilment

APPENDIX TO CHRONICLE. 129

f the 4th article of the of the 20th of November, is to be liquidated and red by the inscription of of 6,615,944 francs in the *Livre* of the public debt ce, and by the immediate of bills, forming a total millions of francs, real va- said bills payable at Paris, y the treasury of France, pted by the firms of Hope Baring, Brothers, and Co. g due monthly, on the 6th month, reckoning from of January next, to the eptember, inclusive.

1 arrangement which his icy field marshal the duke ington signed, in the name courts of Austria, Great Prussia and Russia, on 1 of last month, with the ns of Hope and Co., Ba- rothers, and Co., the be- tioned sum of 6,615,944 of *rente*, has been made those houses for the actual 36,015,210 francs, payable ns of their engagements nths, and at the same as those agreed upon for ments to be made by the y of France.

excellency the duke of eu having represented to isters of the courts of , Great Britain, Prussia ssia, that the state of cir- , and the service of the funds at Paris, required ill greater modification of eding arrangements, than ich had been agreed upon Protocol of the 3rd of No- last, and the plenipoten- of the five courts, after he said state of affairs into LXI.

consideration, have adopted the following arrangements :—1st. The bills of the treasury of France on Messrs. Hope and Co., and Baring, Brothers, and Co., which, according to Article 6 of the convention of the 9th of October, are to be delivered to the commissioners of the four courts, shall be made payable in eighteen equal instalments, beginning on the 6th of January next, till the 6th of June, 1820, inclusive. 2nd. The amount on account of interest, to which the courts of Austria, Great Britain, Prussia, Russia and other participating states, may become entitled, in consequence of the extension of the periods of payment stipulated in the foregoing paragraph, shall be paid by the French government into the hands of the commissioners of the four courts at Paris.—3rd. The securities given by the firms of Hope and Co., Baring, Brothers, and Co., in pursuance of the treaties they concluded with his excellency field-marshal the duke of Wellington on the 12th of last month, shall be equally payable in eighteen instalments, beginning from the 6th of January next, till the 6th of June, 1820, inclusive.—4th. The interest to which the courts of Austria, Great Britain, Prussia, Russia and other participating states may become entitled, in consequence of the extension of the periods of payment stipulated in paragraph three before-mentioned, shall be paid by Messrs. Hope and Co., Baring, Brothers, and Co., into the hands of the Commissioners of the said courts at Paris.—5th. The balance of the interest to be paid in pursuance

pursuance of paragraphs two and four before-mentioned, shall be settled with the commissioners of the said powers, and the amount thereof liquidated at the end of every three months.—6th. When the French treasury-bills, or those of Messrs. Hope and Co., Baring, Brothers, and Co., become due, the latter shall be at liberty to pay the bearers thereof, as much as one half of the amount of the said bills by bills of exchange, indorsed by them, upon one or more of the places hereafter mentioned, viz. Hamburgh, Amsterdam, London, Frankfort and Augsburg; those bills of exchange to have in no case less than thirty days, nor more than three months to run, dating from the day of their delivery. The value of the franc is to be determined at each payment by the medium rate of the exchange at Paris, during the thirty days open (*jours de bourse*) which shall have preceded the day of payment. When two different rates shall be quoted for the same day, the medium between the two is to be taken as the price for the day. With reference to bills of exchange which may have more than thirty days to run, and less than three months, the average must be taken between the rates quoted for the two periods. It is moreover fully understood, that the firms of Hope and Co., Baring, Brothers, and Co., remain responsible for the payment of the bills of exchange delivered in virtue of the arrangement before mentioned.—7th. In order to facilitate the execution of the above paragraph 6, due notice is to be affixed on the bills delivered to

the commissioners of the four courts, of the liberty allowed to pay the said bills, partly in cash, and partly by bills of exchange, in conformity to the preceding stipulations.—8th. It is fully understood, that Messrs. Hope and Co., Baring, Brothers, and Co., may at any time liquidate their engagements by anticipation, at the rate of 5 per cent discount per annum.

Previously to proceeding to the signature of the present Protocol, prince Hardenberg, the Prussian minister plenipotentiary, reproduced and demanded the insertion in the Protocol, of the accompanying observations and exceptions, similar to those consigned to that of the 3rd of November. Field-marshal the duke of Wellington undertook to conclude with Messrs. Hope and Co., Baring, Brothers, and Co., a new arrangement conformable to the contents of the present Protocol.

(Signed) METTERNICH.
RICHELIEU.
CASTLEREAGH.
WELLINGTON.
HARDENBERG.
BERNSTORFF.
NESSELRODE.
CAPO D'ISTRIA.

No. IV.—PROTOCOL signed at Aix-la-Chapelle, on the 15th November 1818, by the Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia and Russia.

The ministers of Austria, France, Great Britain, Prussia and Russia, in pursuance of the exchange of the ratifications of the convention signed on the 9th

APPENDIX TO CHRONICLE. 131

October, relative to the
of the French ter-
the foreign troops,
having addressed to
the notes of which
annexed, have assem-
ference, to take into
ion the relations which
be established in the
te of affairs, between
id the co-subscribing
the treaty of peace of
f November 1815—re-
rich, by assuring to
place that belongs to
European system, will
ore closely to the pa-
benevolent views in
the sovereigns partici-
will thus consolidate the
quillity.

iving maturely investi-
conservative principles
it interests which con-
order of things esta-

Europe, under the
f Divine Providence,
ty of Paris of the 30th
14, the *recès* of Vienna,
eaty of peace of the
the courts subscribing
act, do, accordingly,
ly acknowledge and

they are firmly resolved
epart, neither in their
lations, nor in those
them to other states,
principle of intimate
has hitherto presided
eir common relations
sts—a union rendered
g and indissoluble by
of Christian fraternity
overeigns have formed
nelves.

this union, which is
cal and durable, inas-

much as it depends on no sepa-
rate interest or temporary com-
bination, can only have for its
object the maintenance of general
peace, founded on a religious re-
spect for the engagements con-
tained in the treaties, and for the
whole of the rights resulting
therefrom.

3. That France, associated with
other powers by the restoration
of the legitimate monarchical and
constitutional power, engages
henceforth to concur in the main-
tenance and consolidation of a
system which has given peace to
Europe, and which can alone in-
sure its duration.

4. That if, for the better attain-
ing the above declared object, the
powers which have concurred in
the present act should judge it
necessary to establish particular
meetings, either of the sovereigns
themselves, or of their respective
ministers and plenipotentiaries,
there to treat in common of their
own interests, in so far as they
have reference to the object of
their present deliberations, the
time and place of these meetings
shall, on each occasion, be pre-
viously fixed by means of diplo-
matic communications; and that
in the case of these meetings hav-
ing for their object affairs spe-
cially connected with the interests
of the other states of Europe,
they shall only take place in pur-
suance of a formal invitation on
the part of such of those states as
the said affairs may concern, and
under the express reservation of
their right of direct participation
therein, either directly or by
their plenipotentiaries.

5. That the resolutions con-
tained in the present act shall be
made

made known to all the courts of Europe, by the annexed declaration, which shall be considered as sanctioned by the Protocol, and forming part thereof.

Done in quintuple, and reciprocally exchanged in the original, by the subscribing cabinets.

Aix-la-Chapelle, Nov. 15, 1818.

(Signed) METTERNICH.
RICHELIEU.
CASTLEREAGH.
WELLINGTON.
HARDENBERG.
BERNSTORFF.
NESSELRODE.
CAPO D'ISTRIA.

No. V.—Copy of the Note addressed to the Duke of Richelieu by the Plenipotentiaries of the Courts of Austria, Great Britain, Prussia and Russia, on the 4th of November, 1818.

The undersigned ministers of the cabinets of Austria, Great Britain, Prussia and Russia, have received orders from their august masters to address to his excellency the duke of Richelieu the following communication:—

Called by the fifth article of the treaty of the 20th of November, 1815, to examine, in concert with his majesty the king of France, whether the military occupation of a part of the French territory, stipulated by the said treaty, might cease at the end of the third year, or ought to be prolonged to the end of the fifth, their majesties the Emperor of Austria, the king of Prussia and the emperor of all the Russias, have repaired to Aix-la-Chapelle, and have charged their ministers to assemble there, in conference

with the plenipotentiaries of their majesties the king of France the king of Great Britain, in order to proceed to the examination of this important question.

In this examination the attention of the ministers and plenipotentiaries had for its particular object the internal situation of France; it was said to be directed to the execution of engagements contracted by the French government towards the co-subscribing powers to the treaty of the 20th of November, 1815.

The internal state of France having long been the subject of serious deliberations in the cabinets, and the plenipotentiaries assembled at Aix-la-Chapelle having mutually communicated the opinions which they formed in that respect, the august sovereigns, after having weighed these opinions in wisdom, have recognised with satisfaction, that the order of things happily established in France, by the restoration of legitimate and constitutional monarchy, and the success which has hitherto crowned the paternal care of his most christian majesty, fully justify the hope of progressive consolidation of the order of things so essential to the repose and prosperity of France, and so strictly connected with the great interests of Europe.

With regard to the execution of the engagements, the communications which, since the opening of the conferences, the plenipotentiary of his most christian majesty has addressed to the ministers of the other po-

APPENDIX TO CHRONICLE. 133

have left no doubt on this question, as they prove that the French government has fulfilled, with the most scrupulous and honourable punctuality, all the clauses of the treaties and conventions of the 20th of November, and propose with respect to those clauses the fulfilment of which was reserved for more remote periods, arrangements which are satisfactory to all the contracting parties.

Such being the results of the examination of these grave questions, their imperial and royal majesties congratulated themselves, that they have only to listen to those sentiments and those personal wishes which induced them to put an end to a measure which disastrous circumstances, and the necessity of providing for their own security and that of Europe, could alone have dictated to them.

From that moment the august sovereigns resolved to cause the military occupation of the French territory to be discontinued; and the convention of the 9th of October sanctioned this resolution. They regard this solemn act as the final completion of the general peace.

Considering now as the first of their duties, that of preserving to their people the benefits which that peace assures to them, and to maintain in their integrity the transactions which have established and consolidated it, their imperial and royal majesties flatter themselves that his most christian majesty, animated by the same sentiments, will receive with the interest which he attaches to every thing tending to

the welfare of mankind and to the glory and prosperity of his country, the proposition which their imperial and royal majesties address to him, to unite henceforth his councils and his efforts to those which they will not cease to devote to so salutary a work.

The undersigned, charged to request the duke of Richelieu to convey the wish of their august sovereigns to the knowledge of the king his master, at the same time invite his excellency to take part in their present and future deliberations, consecrated to the maintenance of the peace, the treaties on which it is founded, the rights and mutual relations established or confirmed by these treaties and recognised by all the European powers.

In transmitting to the duke of Richelieu this solemn proof of the confidence which their august sovereigns have placed in the wisdom of the king of France and in the loyalty of the French nation, the undersigned are ordered to add the expression of the unalterable attachment which their imperial and royal majesties profess towards the person of his most christian majesty and his family, and of the sincere interest which they never cease to take in the tranquillity and happiness of his kingdom.

They have the honour, at the same time, to offer to the duke of Richelieu the assurance of their very particular consideration.

Aix-la-Chapelle, Nov. 4, 1818.

(Signed)

METTERNICH.

CASTLEREAGH.

WELL-

WELLINGTON.
HARDENBERG.
BERNSTORFF.
NESSELRODE.
CAPO D'ISTRIA.

No. VI.—Copy of the Note of M. the Duke of Richelieu, in answer to that of the Plenipotentiaries of the courts of Austria, of Great Britain, of Prussia, and of Russia. Aix-la-Chapelle, Nov. 12, 1818.

The undersigned minister and secretary of state to his most christian majesty, has received the communication which their excellencies the ministers of the cabinets of Austria, of Great Britain, of Prussia and of Russia, did him the honour of addressing to him on the 4th of this month, by order of their august sovereigns. He hastened to make it known to the king his master. His majesty has received with real satisfaction, this new proof of the confidence and friendship of the sovereigns who have taken part in the deliberations at Aix-la-Chapelle. The justice which they render to his constant cares for the happiness of France, and above all to the loyalty of his people, has deeply touched his heart. Looking back to the past, and observing that at no other period, any other nation has been able to fulfil with a most scrupulous fidelity engagements such as France had contracted, the king has felt that it was indebted for this new kind of glory to the influence of the institutions which govern it; and he sees with joy, that the consolidation of these institutions is considered by his august allies to

be no less advantageous to the repose of Europe, than essential to the prosperity of France. Considering that the first of his duties is, to endeavour to perpetuate and augment, by all the means in his power, the benefits which the complete re-establishment of general peace promises to all nations; persuaded that the intimate union of governments is the surest pledge of its duration; and that France, which could not remain a stranger to a system, the whole force of which must spring from a perfect unanimity of principle and action, will join the association with her characteristic frankness; and that her concurrence must add strength to the well-founded hope of the happy results which such an alliance must produce for the benefit of mankind, his most christian majesty most readily accepts the proposal made to him of uniting his councils and his efforts with those of their majesties, for the purpose of accomplishing the salutary work which they have in view. He has, therefore, authorized the undersigned to take part in all the deliberations of their ministers and plenipotentiaries for the object of consolidating the peace, of securing the maintenance of the treaties on which it rests, and of guaranteeing the mutual rights and relations established by these same treaties and recognized by all the states of Europe.

The undersigned, while he begs their excellencies to have the goodness to transmit to their august sovereigns the expression of the intentions and sentiments of the king his master, has the honour

APPENDIX TO CHRONICLE. 135

r of offering them the as-
se of his highest consider-

(Signed) RICHELIEU.

VII. DECLARATION of the
ive Cabinets. Signed at
Aix-la-Chapelle, Nov. 15,
1818.

the period of completing
icification of Europe by the
tion of withdrawing the
n troops from the French
ory, and when there is an
of those measures of pre-
n which unfortunate cir-
ances had rendered neces-
the ministers and plenipo-
ries of their majesties the
or of Austria, the king of
e, the king of Great Britain,
ng of Prussia and the em-
of all the Russias, have re-
l orders from their sove-
to make known to all the
s of Europe the results of
meeting at Aix-la-Chapelle,
ith that view to publish the
ring declaration:—

e convention of the 9th of
er, which definitely regu-
the execution of the en-
ments agreed to in the treaty
ice of November 20, 1815,
sidered by the sovereigns
oncurring therein as the ac-
lishment of the work of
, and as the completion of
olitical system destined to
e its solidity.

e intimate union established
g the monarchs who are
parties to this system by
own principles, no less than
e interests of their people,
to Europe the most sacred
e of its future tranquillity.
e object of this union is as

simple as it is great and salutary.
It does not tend to any new poli-
tical combination—to any change
in the relations sanctioned by ex-
isting treaties. Calm and con-
sistent in its proceedings, it has
no other object than the mainte-
nance of peace, and the guarantee
of those transactions on which
the peace was founded and con-
solidated.

The sovereigns, in forming this
august union, have regarded as
its fundamental basis, their inva-
riable resolution never to depart,
either among themselves or in
their relations with other states,
from the strictest observation of
the principles of the right of
nations; principles which, in their
application to a state of perma-
nent peace, can alone effectually
guarantee the independence of
each government and the sta-
bility of the general association.

Faithful to these principles, the
sovereigns will maintain them
equally in those meetings at
which they may be personally
present, or in those which shall
take place among their ministers;
whether they be for the purpose
of discussing in common their
own interests, or whether they
shall relate to questions in which
other governments shall formally
claim their interference. The
same spirit which will direct their
councils and reign in their diplo-
matic communications, will pre-
side also at these meetings; and
the repose of the world will be
constantly their motive and their
end.

It is with these sentiments that
the sovereigns have consummated
the work to which they were
called. They will not cease to
labour

labour for its confirmation and perfection. They solemnly acknowledge, that their duties towards God and the people whom they govern, make it peremptory on them to give to the world, as far as is in their power, an example of justice, of concord and of moderation; happy in the power of consecrating, from henceforth, all their efforts to protect the arts of peace, to increase the internal prosperity of their states, and to awaken those sentiments of religion and morality, whose influence has been but too much enfeebled by the misfortune of the times.

(Signed) METTERNICH.
RICHELIEU.
CASTLEREAGH.
WELLINGTON.
HARDENBERG.
BERNSTORFF.
NESSELRODE.
CAPO D'ISTRIA.

Ordinance of the Senate of Lubeck, dated December 2, 1818.

To prevent the citizens of Lubeck who contribute towards the support of the state, from being injured, the senate has decreed—That all strangers and Jews are prohibited from carrying on trade within the jurisdiction of the city.

For the first offence they are to pay a heavy penalty, and the loss of their goods. For the second offence they are not to be permitted to dwell in the city, and themselves and families are to be sent to Moisling, or elsewhere.

Every citizen and inhabitant is hereby required to refuse their

assistance to strangers and Jews in carrying on an unlawful trade; and all offenders in this respect shall be subject to a heavy penalty, or imprisonment; and for a second offence, a still heavier punishment shall be inflicted; and if the offender is a citizen, he shall lose his citizenship.

It shall be lawful for the guild of Grocers, after information has been given to the magistrates, and with one of their officers, to enter the houses where such unlawful traffic is carried on, or suspected to be carried on; and if such traffic should be found to exist, the above regulations are to be carried into effect.

All superintending officers of trade and navigation are to be particularly vigilant in discovering such unlawful traffic, and are referred to the decrees of 1768 and 1778, and other ordinances.

This decree is to be printed, and made public in all the inns and beer-houses; and to be made known to all Jews resident at present in this city; and the proper officers are required to act according to the spirit of this publication.

Given in the senate, on the 2d day of December, 1818.

Ordinance of the King of Spain addressed to the Prime Minister and General Secretary of State.

Most Excellent Sir;—The King our sovereign, to whom I gave in due time an account of what I was directed to do by the royal order of the 23rd of November last, respecting the urgent necessity of finding some means for preventing those evils which had accrued

PPENDIX TO CHRONICLE. 137

n the dominions of his beyond sea, in which individuals of foreign ve arrived, for the pur-king part in the insur-o which they have con-oth by their personal and their intrigues, and lied the insurgents with unition, ships, and other ar, and without which

not exist in many of vinces ; his majesty roper to command, that me council of war iberate on what should , or should appear con-ith those facts which rtment had already in sion, relative to this

In consequence, the ade a report on the 22d ber last, demonstrating rious necessity which r punishing with all the he laws such foreigners be taken with arms in s, in the American do-nder the banners of the , and such as should supplying them with unition, or ships, add-y fuel to the devouring ie insurrection, which tely still exists in some those valuable posses-proposing by such inid detestable means to r own fortune on the etal destruction of these subjects of his ma- t the same time it was at justice, policy and ied out with one voice option of this system, nding the well known f mercy which reign in of the king, in order

that the benign clemency and pardons which his majesty, by virtue of his sovereign power, and in mitigation of the severity of the laws, has thought proper to grant in favour of those miserable subjects who were to be treated as deluded persons, who, by the influence of perfidious suggestions, had deviated from the paths of honour and virtue, and not as persons guilty of the unutterable crime of treason, might not be extended to those intruding foreigners, respecting whom, in addition to the non-existence, in their case, of those circumstances which dispose the mind of his majesty to exercise clemency towards his own subjects, it is well known that similar acts of clemency, though voluntary on the part of his majesty, merely had the effect of inviting to partake of it such persons as were expressly included in them, while they attributed the obligation to motives which did not, and could not, exist in the mind of his majesty at the time of his granting such pardons ; and that, consequently, the royal ordinance communicated to the vice-roys and captains-general of America, on the 30th of April in the preceding year, ought to be modified so as to accord with this distinction and view of the subject ; informing the said functionaries, that on all foreigners who should be taken in the insurrectionary provinces with arms in their hands and under the banners of the insurgents, the same punishment should be inflicted as on the natural subjects of the country of whom they had become the associates and coadjutors : and, lastly,

it

it was declared, that according to the principles of the law of nations, universally recognized, the individual foreigner who should introduce himself, of his own authority, into the territory of any sovereign, to disturb the public peace and to commit excesses and crimes of any description, subjects himself by such delinquency, to the authority and jurisdiction of the country in which he so offends, without his government having the power to claim him, or to interfere in any case.

Therefore the King our sovereign, being hereof informed, has been pleased to declare, once for all, that all foreign adventurers who shall be apprehended with arms in their hands in his dominions beyond sea, under the banners of the insurgents, or shall have supplied them with the aids of war, shall suffer, without remission, capital punishment, and also the confiscation of the goods belonging to them in the dominions of his majesty: which punishment is the one assigned by the laws for the chastisement of such delinquents who are not to be included in the acts of grace and the pardons which his majesty has granted, or may grant, in favour of his own subjects, for the reasons already manifested.

Wherefore I communicate this royal ordinance to your excellency for your information, and for its proper execution. God preserve your excellency many years.

At the palace, Jan. 14, 1819.

FRANCISCO DE EGUIA,
Provisional Secretary of
State.

TREATY between the State of Buenos-Ayres and Chili

His excellency the director of the United Provinces of the Rio de la Plata, and his excellency the supreme director of the state of Chili, in pursuance of the powers conferred on them by the provincial constitutions of the respective states, despatched a period to the tyrannical domination of the Spanish government in Peru, and to the oppression of its inhabitants that liberty and independence of which they were so unjustly deprived, and in view to giving that assistance which the inhabitants of both have solicited of both contracting states, have resolved to conclude the present treaty.

For this purpose the contracting parties have named plenipotentiaries, to wit:

On the part of his excellency the supreme director of the United Provinces of the Rio de la Plata, Don Gregorio de la Plata, Don Gregorio de la Plata, minister of state in the departments of the government in foreign affairs.

And on the part of his excellency the supreme director of the state of Chili, col. Don Antonio Yrizarri, officer of the merit and minister of state.

Who, having exchanged full powers, and having found them in good and due form, agreed upon the following articles:—

Art. 1. Both contracting parties, agreeing with the desires manifested by the inhabitants of Peru, and especially by the people of Lima the capital, that they

APPENDIX TO CHRONICLE. 139

arm with an armed force, in that they may drive thence Spanish government, and establish that which shall be more consonant to their physical and constitution, the said two contracting parties oblige themselves to undertake an expedition for that purpose is prepared in Chili.

2. The combined army of the United Provinces and of Peru directed against the actual authorities at Lima, and in aid of the inhabitants, shall cease its operations in that country the moment it has established a government by the free will of the inhabitants, unless being required by the government, and being due to the circumstances of the contracting parties, the states of Chili, the United Provinces and Lima, should that the army remain for a time in the same territory. In consequence, the generals empower the other ministers of Chili and the United Provinces, must upon this point with the government which shall be established in Lima; the execution of treaties being always subject to the respective ratification of the supreme authorities of Chili and the United Provinces.

3. In order to avoid all source of disagreement between the contracting states and Peru one which is to be formed, respecting the payment of the expenses of the liberating expedition, and desirous of regulating henceforth all pretext may be formed by the enemies of America, in order to attack that expedition inter-

ested motives which are utterly foreign to it, both contracting parties agree not to treat of levying these expenses before they can be arranged with the independent government of Lima; the combined army observing, both till then and subsequently, such conduct as is conformable to its object, which is to protect and not to act in hostility to these inhabitants, respecting all which both governments shall give express orders to their respective generals.

Art. 4. The statements of the expenses of the liberating expedition and of the Chilean squadron which conducts it, from the time of its passing into the Pacific sea for that purpose, shall be presented by the ministers or agents of the governments of Chili and of the United Provinces, to the independent government of Lima, arranging with it amicably and conveniently the quantities, periods and manners of the payments.

Art. 5. The two contracting parties mutually guarantee the independence of the state which shall be formed in Peru, when its capital is liberated.

Art. 6. The present treaty shall be ratified by his Excellency the Supreme Director of the United Provinces of Rio de la Plata, and by his Excellency the Supreme Director of the State of Chili, within the space of 60 days.

Dated and signed in the city of Buenos Ayres, on the 5th of Feb. 1819.

ANTONIO JOSE DE YRISARRI.
GREGORIO FAGLE.

Report

*Report on the Seminole War.
United States. Senate in Con-
gress, Feb. 24.*

Mr. Lacock, from the committee appointed in pursuance of the resolution of the senate of the 18th of December last, "That the message of the president and documents relative to the Seminole war, be referred to a select committee, who shall have authority, if necessary, to send for persons and papers: that said committee inquire relative to the advance of the United States troops into West Florida; whether the officers in command at Pensacola and St. Mark's were amenable to and under the control of Spain; and particularly what circumstances existed to authorize or justify the commanding general in taking possession of those posts."

Reported;—That they have, under the authority conferred on them, called for and examined persons and papers. The testimony obtained is herewith submitted. The committee, after the most mature and dispassionate examination of the subject, offer for the consideration of the senate, the following narrative of facts, and the opinions and deductions clearly arising from, and growing out of, the facts thus presented. On the origin of the hostilities between the United States and the Seminole Indians, the committee ask leave to remark, that the different savage tribes living within and on the borders of the Floridas, denominated Seminole Indians, were principally fugitives from the more northern tribes

resident within the limits of the United States. After the year of 1814 with the Creek Indians a considerable addition was made to the number of those fugitives as the Indians who were dissatisfied with the provisions of the treaty took refuge in the Floridas, cherishing, there can be no doubt, feelings of hostility to the United States. These feelings seem to have been strengthened by the influence of foreign emissaries who had taken up their residence among them; among the most conspicuous, Alexander Arbuthnot and John C. Ambrister. In this state of things, it appears that the executive department of the government deemed it necessary for the security of the frontier, to establish a line of forts near the southern boundary of the United States, and to occupy those fortifications with portions of regular forces; and by these means peace was maintained with the Indians until the spring of 1817, when the regular forces were withdrawn from the posts on the Georgia tier, and concentrated at Montgomery, on the Alabama river, a considerable distance west of the Georgia line. It seems that about this time border warfare was commenced between the Seminole Indians and the frontier inhabitants of Georgia. It is difficult to determine with certainty who committed those hostilities, or on whom the greatest injuries were inflicted. General Gaines, however, demanded a surrender of the Indians who had committed outrages

APPENDIX TO CHRONICLE. 141

er of Georgia. With
d they refused to com-
g that the first and the
aggressions had been
he white men. In con-
of this refusal, general
as authorized by the
of war, at his discre-
remove the Indians still
on the lands ceded to
d States by the treaty
the Creeks in 1814;
ng he is told that it
proper to retain some of
stages, until reparation
for the depredations
l by the Indians. In

of this discretionary
general Gaines ordered
ment of near 300 men,
command of major
o surround and take an
age, called Fowl-town,
teen miles from Fort
d near to the Florida
is detachment arrived
own in the night, and
s taking the alarm and
an adjacent swamp,
on by the detachment;
man and one woman
wo Indians were made
the detachment re-
Fort Scott. A day or
wards, as stated by cap-
tosh, who was of the
out the same number of
d a second visit to the
ge (as he states) for
se of obtaining property.
ding their waggons with
collecting horses and
ey were fired upon by
ns, and a skirmish en-
which a small loss was
on both sides. It is
captain Young, the to-

pographical engineer, that this
town contained about 45 Indian
warriors, besides women and
children.

A few days after the affair of
Fowl-town, lieutenant Scott, with
a detachment of 40 men, 7 women
and some children, ascending the
Appalachicola with clothing and
supplies for the garrison at Fort
Scott, when within a few miles
of that place was attacked by a
party of Indians; himself and his
whole party fell victims to their
fury, except 6 men who made
their escape, and 1 woman made
prisoner.

From this time the war became
more serious: the Indians in con-
siderable numbers were embod-
died, and an open attack was
made on Fort Scott. General
Gaines, with about 600 regular
soldiers, was confined to the gar-
rison. In this state of things, in-
formation having been communi-
cated to the war department,
general Jackson was ordered to
take the field; he was advised of
the regular and militia force,
amounting to 1,800 men, provided
for that service, and the estimated
force by general Gaines of the
enemy (said to be 2,800 strong);
and directed, if he should consi-
der the force provided insufficient
to beat the enemy, to call on the
governor of the adjoining states
for such portions of the militia as
he might think requisite. On the
receipt of this order, general
Jackson, instead of observing the
orders of the department of war,
by calling on the governor of
Tennessee, then in Nashville,
near the place of his residence,
chose to appeal (to use his own
expressions)

expressions) to the patriotism of the west Tennesseans, who had served under him in the last war. One thousand mounted gun men, and two companies of what were called life guards, with the utmost alacrity volunteered their services from the states of Tennessee and Kentucky, and repaired to his standard. Officers were appointed to command this corps by the general himself, or by other persons acting under his authority. Thus organized, they were mustered into the service of the United States.

About the time general Jackson was organizing this detachment of volunteers in the state of Tennessee, or, perhaps, previously thereto, general Gaines was likewise employed in raising forces among the Creek Indians. There was this difference in the two cases—general Jackson raised his army in disregard of positive orders; general Gaines, without orders, took upon himself the authority of raising an army of at least 1,600 Creek Indians, appointing their officers, with a brigadier-general at their head, and likewise mustering this force into the service of the United States.

While your committee feel a pleasure in applauding the zeal and promptitude that have marked the military conduct of these general officers on many former occasions, they would feel themselves wanting in their duty to the senate and the nation, if they did not express their decided disapprobation of the conduct of the commanding generals, in the steps they took to raise and organize the force employed on this

occasion. There was no existence that authorized the president of the United States to raise or accept the service of volunteers. The law passed for that purpose had expired the year 1815. The constitution of the United States gives to congress exclusively, the power of raising armies; and to the president and senate the power of appointing the officers to command those armies when raised. The constitution, likewise, gives to congress power to provide for calling forth the militia to execute the laws of the Union, to suppress insurrections and to repel invasions; but reserves to the president, respectively, the appointment of the officers. In conformity with the last recited provision of the constitution, the congress of the United States have passed laws authorizing the president, in the contingencies above alluded to, should happen, to call on the governors, or any militia of the respective States, for such portions of the militia as he may deem requisite for the occasion, and in strict observance of the laws, was general Jackson ordered to call on the governors of the States adjacent to the scene of war for the requisite number of force.

It is with regret that the committee are compelled to declare that they conceive general Jackson to have disregarded the positive orders of the department of war, the constitution and the laws, that he has taken upon himself not only the exercise of powers delegated to congress, but the sole legislative authority of the nation, and to the president.

APPENDIX TO CHRONICLE. 143

nate, as it relates to the
ments, but of the power
had been expressly re-
to the States in the ap-
ment of the officers of the
;—a power the more valua-
the States, because, as they
urrendered to the general
ment the revenues and
al force of the nation, they
only look to the officers of
ilitia as a security against
ssible abuse of the dele-
power. The committee
ie melancholy fact before
that military officers, even
early stage of this republic,
without the shadow of au-
, raised an army of at least
men, and mustered them
ie service of the United
; 230 officers have been
ted, and their rank esta-
l, from an Indian brigadier-
l down to the lowest sub-
of a company. To whom
those officers accountable
eir conduct? Not to the
nt of the United States;
will be found that it was
nsidered necessary even to
him with a list of their
; and not until the pay rolls
ade out and payment de-
d, were the persons known
department of war. And
place it is proper to ob-
that general Jackson seem-
consider those officers, of
n creation, competent to
ge all the functions of of-
appointed by the authority
general or state govern-
; for we find five of them
d afterwards to sit on a ge-
court-martial, on a trial of
d death. Might not, on
ie principles, general Jack-

son have tried, condemned, and
executed any officer of the Geor-
gia militia, by the sentence of a
court-martial, composed of offi-
cers created by him and holding
their assumed authority by the
tenor of his will?

Your committee will dismiss
this branch of the subject, by ob-
serving, that consistently with
the character and genius of our
government, no officer, however
high or exalted his station, can
be justified for an infraction of
the constitution. It is an offence
against the sovereignty of the
nation; this sovereignty being
vested in the great body of the
people. The constitution is the
written expression of their will,
and above the control of all the
public functionaries combined.
And when that instrument has
been violated, the people alone
have power to grant the indem-
nity for its infraction; and all that
can be said in favour of the of-
ficer who transcends his constitu-
tional powers must be taken, not
in justification of the act, but in
mitigation of the enormity of the
offence committed. With this
view of the subject, which they
conceive to be a correct one, the
committee have in vain sought for
an excuse for the commanding
general. He has stated in his
letter to the secretary of war,
assuming the power to judge for
the national legislature, that a
volunteer force of mounted gun-
men would be the least expensive
and the most efficient. His
duty was, to execute the orders
of his superior officers, not to
disobey them; to observe and
enforce the laws, not to violate
them; obedience and subordina-
tion

tion are the first and highest duties of a soldier, and no one knew better the truth of, and necessity for observing this maxim, than the officer in question. For the truth of this observation we have his own declaration. In his letter to the Secretary of War of the 20th of January, 1818, he says, "Your letter, enclosing your general order of the 29th ult. has been received; like yourself, I have no other feelings to gratify than those connected with the public good; and it gives me pleasure to find we coincide in those opinions calculated to produce it. Responsibility now rests where it should, on the officer issuing the order; and the principle acknowledged is calculated to insure that subordination so necessary to the harmonious movement of every part of the military machine."

It is to be regretted, that an officer who seemed to be so perfectly acquainted with what belonged to the duty of others, should have been so totally regardless of, or unconscious of, his own: and while the committee are willing to admit, that the volunteer forces called into service by General Jackson were more efficient and less expensive than the militia, had he confined himself to the usual proportion of officers; this, they conceive, should not be urged as an argument in favour of employing them, or plead in justification of the unlawful act; for if these reasons be considered conclusive, and should be acquiesced in, they will be applied with increased force (fortified by this precedent) in all future wars;

an army of regulars will be considered (as they really are) more efficient and less expensive than either the volunteers, if authorized by law, or the militia; and the officer at the head of such army (acting on the principles before stated, and encouraged by the acquiescence of the nation) may dispense with the militia altogether, and increase the regular army to any extent that folly or ambition may suggest; and all this, under the plea of necessity. The committee can scarcely imagine a possible case that may occur in a future war, where the necessity will be less strong than in the present. This war was waged when the United States were at peace with all the world, except this miserable undisciplined banditti of "deluded Indians" and fugitive slaves; their whole strength, when combined, not exceeding 1,000 men, opposed to whom (previous to Gen. Jackson's taking the command) and under Gen. Gaines, were a force of 1,800 regulars and militia, besides the 1,500 friendly Indians, illegally subsidized by the last-mentioned general? What then in this state of the case becomes of the plea of necessity? And if it be admitted in this case to justify or palliate an act of military usurpation, the committee would anxiously inquire where it is to be disallowed or denied? And here the committee, having pledged themselves faithfully to disclose facts and impartially to draw conclusions, beg leave to remark, that the conduct of the commanding general, in raising this volunteer corps, was approbated

APPENDIX TO CHRONICLE. 145

by the War Department, as appear by the letter of the Secretary, dated the 29th day of May, 1818; and it is but just to the department to state, that it was not until the officers had assisted in thus organizing this corps, and examined by the committee, they were apprized of the utility of the measure; for there is nothing to be found in Jackson's letters on this subject to the Secretary of War, of the 12th, 13th and 20th of May, 1818, from which it can fairly be inferred, that he had appointed a single officer: indeed it would seem from a fair interpretation of those letters, that the officers, at least, were of the militia of the States, and the only departure from his order by the General was, his having called on the subordinate officers of the militia, instead of the Governor of the State of Tennessee, and his preference of mounted men to infantry; and it can so appear from the letters also, that had the Department of War disapproved of this conduct, and determined to countermand the order of General Jackson in raising this force, no doubt to that effect could have been sent him before he had arrived at the seat of war, and of course the enemy might have been discovered in sight of the enemy, and the objects of the campaign thereby jeopardized, and perhaps ruined.

The committee will next take up the operations of the army in the Floridas, whither they were authorized to pursue the enemy; and connected with L. LXI.

this authority, it was enjoined on Gen. Gaines, to whom the first order to this effect was given, that in case the enemy took refuge under a Spanish garrison, not to attack them there, but to report the fact to the Secretary at War; and the observance of this order the committee conceive was equally obligatory on General Jackson, who succeeded to the command; at least it must have clearly evinced the will of the Secretary of War on that point; and how far this injunction was observed, will be found by what followed. It appears that Gen. Jackson advanced into Florida with a force of 1,800 men, composed of regulars, volunteers, and the Georgia militia; and afterwards, on the 1st of April, was joined by Gen. McIntosh and his brigade of 1,500 Indians, who had been previously organized by Gen. Gaines; opposed to whom, it appears from the report of Captain Young, topographical engineer, and other evidence, the whole forces of the fugitive Seminole Indians and runaway negroes, had they all been embodied, could not have exceeded 900 or 1,000 men, and at no time did half that number present themselves to oppose his march, of course little or no resistance was made.

The Mickasuky towns were first taken and destroyed; the army marched upon St. Mark's, a feeble Spanish garrison, which was surrendered "without firing a gun," and then occupied it as an American post: the Spanish commandant having first by humble entreaties and then by a timid protest, endeavoured to avert the measure.

measure. Here Alexander Arbuthnot was found, taken prisoner and put in confinement, for the purpose, as it was stated by General Jackson, "of collecting evidence to establish his guilt;" and here also were taken two Indian chiefs, one of whom pretended to possess the spirit of prophesy; they were hung without trial and with little ceremony.

This being done, and St. Mark's garrisoned by American troops, the army pursued their march eastward to Suwaney river, on which they found a large Indian village, which was consumed, and the Indians and negroes were dispersed; after which the army returned to St. Mark's, bringing with them Robert C. Ambrister, who had been taken prisoner on their march to Suwaney. During the halt of the army for a few days at St. Mark's, a general court-martial was called, Arbuthnot was arraigned, found guilty, sentenced to suffer death and hung.

Ambrister was tried in like manner, found guilty and sentenced to whipping and confinement. General Jackson annulled the sentence and ordered him to be shot; and this order was executed.

It appears by the testimony, that the army had arrived at St. Mark's, on their return from Suwaney, on the 25th of April; and on the 26th, general Jackson writes to the secretary of war in the following manner:—"I shall leave this in two or three days for Fort Gadsden, and, after making all necessary arrangements for the security of the po-

sitions occupied, and detaching a force to scour the country west of the Appalachicola, I shall proceed direct to Nashville; my presence in this country can be no longer necessary. The Indian forces have been divided and scattered; cut off from all communications with those unprincipled agents of foreign nations who have deluded them to their ruin, they have not the power, if the will remains, of annoying our frontier." It appears, however, by the conduct of the commanding general, that he had, at this time, looked to different movements; for, at the time he was writing this letter, as will be seen by the testimony of captain Call and surgeon Bronaugh, he had dispatched lieutenant Sands to Mobile, to forward on a train of artillery to a given point, to be ready to be made use of in reducing Pensacola and the fort of Barancas, should that measure be thereafter thought proper; having made these arrangements, the army marched to Fort Gadsden, on the Appalachicola river. There, as stated by general Jackson and confirmed by the testimony of colonel Butler, information was received by a private letter, written from a merchant at Pensacola to Mr. Doyle and shown to general Jackson, that a number of Indians had recently visited Pensacola, and were committing depredations on the Spanish inhabitants of that place, and were receiving aid and comfort from the garrison. On the receipt of this intelligence, the resolution seems to have been taken to garrison that place with American troops: and

APPENDIX TO CHRONICLE. 147

after a march of about 20 s, having met his artillery, eral Jackson, with about 10 men, the rest having been charged, appeared before Penola, the capital of the province. The place was taken without the show of resistance. The governor had escaped, and taken refuge in the fort of the Incas; to which place, distant about six miles, the army marched, and the fortress was captured on the 25th of May; and command being made for its surrender and refused, the attack on the fortress by land and water commenced, and after the bombardment and cannonading had been kept up for a part of two days, and some lives lost, the fortress was surrendered, the garrison made prisoners of war, and the officers of the government, civil and military, transported to Havannah, agreeably to the terms of the capitulation; which was general Jackson, in his letter of 2nd June, 1818, describes "were more favourable to a conquered enemy would be merited."

The civil and military government of Spain thus annulled, general Jackson thought it necessary to abolish the revenues of Spain, and establish those of the United States as more favorable to the commerce of the United States; and for this purpose captain Gadsden was appointed collector, and by him, under the authority of general Jackson, that department of the government was organized. The Spanish authorities being put down by the sword, a civil and military, a new government was established for

this newly acquired territory, the powers of which, both civil and military, were vested in military officers. And general Jackson having declared in numerous communications to the department of war that the Seminole war was closed, and the object of the campaign at an end, he returned to his residence at Nashville, state of Tennessee. And here it would have given the committee sincere pleasure to have stated that the history of the campaign had closed; but facts which it becomes now their duty to report, require that history to be continued. On the 7th of August 1818, more than two months after his consummation of the conquest of West, and part of East Florida, he issued an order to general Gaines directing him to take possession of St. Augustine, a strong fortress and the capital of East Florida. A copy of this order is subjoined to this report, and his reasons for this measure are stated at large in the order, and reiterated and enforced by his letter to the secretary at war, dated the 10th of the same month, which reasons, fully and beyond the possibility of doubt, discover the motives of the commanding general in all his movements against Spain.

The tendency of these measures by the commanding general seems to have been to involve the nation in a war without her consent, and for reasons of his own, unconnected with his military functions.

Your committee would be unwilling to attribute improper motives, where those of a different character could be possibly inferred,

ferred, more especially when it is to affect a character, whose military fame is the pride and boast of the nation; but even such a character becomes more eminently dangerous, when he exalts himself above the majesty of the laws, declares the public will, and becomes the arbiter between the United States and foreign nations. That these high and transcendent powers have been usurped and exercised in the present case, is, it appears to the committee, incontrovertibly evident from the facts adduced.

The constitution declares, art. 1, sec. 8. "Congress shall have power to declare war, grant letters of marque and reprisal, and to make rules concerning captures on land and water." Surely it was never designed by this provision, that a military officer should first make war, and leave it to Congress afterwards to declare it: this would involve an absurdity that it is unnecessary to expose. It is sufficient to say, that the executive authority of the United States, and much less a subordinate officer, has no power to change the pacific relations of the nation. The president of the United States is bound constitutionally to preserve the peace of the country until Congress declares it in a state of war: he can only, while thus in a state of peace, use the military forces of the nation in three specified cases, that is, "to execute the laws of the Union, to suppress insurrection and repel invasion." (See Constitution, art. 1, sec. 8; also, the act for calling forth the militia, passed Feb. 28, 1795). It will not be pretended, that

Spain had invaded the United States, or that Congress declared war against that nation, and of course the relation of peace did exist between the two countries, at the time when General Jackson took possession of Spanish possessions in the Floridas: these facts being admitted, and they cannot be denied, the only question to decide is, whether the military conduct of General Jackson was not war against Spain; and on this subject there can be no room to doubt. The capital of a Spanish province taken by the sword, a fortress invested and bombarded, and the place surrendered on capitulation, the terms of which are declared "more favourable than a conquered enemy merited;" military officers, men, as well as those in the departments of government transported to the West Indies, and a new government established for the conquered country. If all these acts of hostilities combined do not constitute war, the committee confess themselves utterly at a loss for its definition, or if the fact be denied, the sequence of such denial will be a proof that no war was made with the Seminole Indians on the part of the United States, and of course that the invasion of Florida was an unauthorized act of aggression on the part of the United States; but the committee will pursue this subject a little farther, and examine the reasons offered by the officers commanding, for taking possession of and occupying the Spanish fortresses, especially Pensacola and Barancas. These reasons are to be found in his numerous re-

APPENDIX TO CHRONICLE. 149

war department and his
o the Spanish officers who
nded in the different
es, and are these :—That
ad not observed her treaty
ions with the United

as it related to the
Indians, whose peace-
nduct she was bound to
ee to the United States.
he had furnished those
at war with the United
with arms, ammunition
plies, necessary to carry
war. Here the committee
observe, that they are
the advocates nor the
sts of Spain ; there can be
it but she had by the vio-
f her engagements, given
f States sufficient cause

but they defend the con-
a by saying that Gen.
i had no power to declare
ke the war ; that neither
even the President of the
States, had any discretion
er to judge what was or
t cause of war ; this the
ition had wisely lodged in
ss. The treaty with Spain
sted ; it was made by the
ition, the supreme law of
l, and had Spain violated,
part, every article of that
still the executive of the
States, who is bound to
: laws “ faithfully exe-
must, in good faith to-
Spain, have observed on
t that treaty ; and the ob-
of preserving the peace
ation would have remained
e treaty should have been
l or annulled by Congress.
ing the Indians with arms,
ition and supplies, were so
iolations of treaty stipula-

tions, and might have been con-
sidered good cause of war by
Congress ; but of this Gen. Jack-
son was not the judge. His duty
was pointed out ; it was to subdue
and punish the Seminole Indians,
with whom we were at war ; for
this purpose he was ordered to
pursue them into the territorial
limits of Spain, and over a part
of which territory those Indians
had, at least, a qualified right of
possession and property. Under
these orders no act of aggression
on the Spanish authorities could
have been designéd, nor can any
such acts be justified. Spain,
before she could become or be
made a party to this war, must
have merged her neutral cha-
racter in that of the enemy, and
clearly identified herself with the
Seminole Indians, and by acts of
open and undisguised hostility to
Gen. Jackson, have opposed him
by physical, not moral force.

But the weakness of the Spanish
authorities is urged in justification
of this outrage upon our consti-
tution ; and is the weakness of an
independent power to disparage
their neutral rights, or furnish pre-
tences for a powerful neighbour
to weaken them further by hostile
aggression ? And is it thus we are
to be furnished by an American
officer with a justification for the
dismemberment of Poland, the
capture of the Danish fleet by
Great Britain and the subjugation
of Europe by Buonaparté ; and
shall the United States be called
upon to imitate the example, or
silently acquiesce, and thereby
subscribe to doctrines and ap-
prove measures, that are in direct
opposition to the repeated and
invariable declarations of the go-
vernment,

vernment, given to this nation and the world through the official medium of presidential messages and the correspondence of all her public ministers, and sanctioned by all her public laws on the subject of neutral rights? Will it not be said that we have changed our national policy? Shall we not be addressed in the following language, by the nations of Europe?—

“The time was when the United States were also weak; she had no navy, she had no army. In those days she was a strong advocate for neutral rights, anxious that free ships should make free goods; that the neutral flag of the republic should protect all sailing under it, ever protesting against and complaining of the violation of her neutral rights by the belligerents of Europe; but these times have passed away, the nation has tried her strength in battle and found herself quite equal to the struggle; she has had time to strengthen her army and increase her navy; her former weakness forgotten, her former precepts abandoned, and feeling power and forgetting right, she walks over a prostrate constitution, to conquer and subdue a miserable and feeble, though neutral colony, whose very weakness (pleaded in excuse for the aggression) should have rather constituted an appeal to a generous people for protection.”

In this unfavourable light, the committee have too much reason to fear, will the civilized world view this transaction; and if sanctioned by the nation, they regret to say there will be too much reason thus to consider it,

But there are still other reasons disclosed and facts developed, that discover the motives of the commanding officer more fully than those above stated. More than two months after this campaign had ended and the Seminole war was terminated, another expedition is planned, and the land and naval forces of the United States ordered to execute it, which is, to reduce the fortress of St. Augustine, the capital of East Florida. The reasons offered for this measure are stated in his orders to general Gaines, dated Nashville, Aug. 7, 1818, and are as follows:—

“I have noted with attention major Twiggs’ letter, marked No. 5. I contemplated that the agents of Spain or the officers at Fort St. Augustine would excite the Indians to hostility, and furnish them with the means of war. It will be necessary to obtain evidence substantiating this fact, and that the hostile Indians have been fed and furnished from the garrison of St. Augustine. This being obtained, should you deem your force sufficient, you will proceed to take and garrison Fort St. Augustine with American troops and hold the garrison prisoners until you hear from the president of the United States; or transport them to Cuba, as in your judgment, under existing circumstances, you may think best.

“Let it be remembered, that the proceedings carried on by me, or this order, is not on the ground that we are at war with Spain, it is on the ground of self-preservation, bottomed on the broad basis of the law of nature
and

nations, and justified by peace and security to our ; hence the necessity of evidence of the fact of ts or officers of Spain excited the Indians to the war against us, and y have furnished them means of carrying on the is evidence being ob- you will (if your force is) permit nothing to pre- from reducing Fort St. ne, except a positive om the department of

ers some time since have en to the officer of the e commanding at Charles- have in readiness a com- tering train, the number ore of the guns pointed ave no doubt you will in readiness.

lose you the report of lenley, of the naval force atation; you will open a ndence with commandant allas to insure his co- , provided it should be

s projected expedition, t thought necessary or t to consult the execu- ch of the government; sent to general Gaines emptory, on the disco- g made that the Indians supplied with ammuni- provisions and excited he blow was to be struck, ing but an express order e secretary of war was to t. Long before this pe- commanding general had, ters to the secretary of lared the Seminole war d, and after which not a

single new act of hostility had been committed. Yet in this state of peace, is a military officer directed to ascertain certain facts, and on such facts being substantiated, to make war on the neutral colony of a nation in peace and amity with the United States; thus disregarding not only the legislative and executive authorities of the United States, but setting at naught the usages of all civilized nations, by making war without a previous and public declaration. Were the nation subject to the will of a military despot, and were there no constitutional barriers to the inordinate exercise of military ambition, more than this could scarcely have been expected. It is with pain the committee are constrained to make these observations; but where the vital principles of the constitution have been violated, as they conceive, it would be criminal in them, under the instructions they have received from the senate and the duty they owe the nation, to be silent. Silence on their part would have been considered an acquiescence in those measures, and they fear this precedent and example may be pleaded and followed on future occasions.

If these things be admitted in the south, will they not be considered as authorized in the north? Are there not fortresses there to be won and provinces to be conquered, and are there not Indians in that quarter likewise, and may not the officer in command find means to prove that those Indians have been, or hereafter may be furnished by the British with arms and munitions of war; and if so, may

may he not follow the example set in the south, and add something to his stock of military fame by reducing the British fortresses of Canada, and unfurling the star-spangled banner of this nation on the walls of Quebec?

We hope better things of the distinguished officer at the head of our armies, and we had hoped better things of the hero of New Orleans; but we have been disappointed; and if the conduct of the officers in the south be sanctioned and approved by the nation, we are free to declare that the reduction of Quebec (where Montgomery fell, unable to conquer) would present a much stronger claim to public approbation.

It is necessary here to remark, that a copy of the order issued by general Jackson to general Gaines, for the reduction of St. Augustine, was transmitted to the secretary of war, and a countermanding order promptly dispatched to general Gaines, which reached him before the military expedition set on foot by general Jackson had commenced; and thus was suddenly arrested a military scheme (as unconstitutional as it was impolitic), and which might, as stated by the secretary of war in his letter of the 8th day of September, 1818, have involved this nation in a war with all Europe.

In thus promptly prohibiting the unauthorized seizure, at the will of a commanding general, of the possessions of a neighbouring nation with whom the United States are at peace, the committee recognize that sacred regard to the rights of other nations, which

ought never to be departed from by the executive of a free country, and that vigilant attention to the conduct of the officers of the army which is necessary to secure a due subordination of the military to the civil power.

They consider that on this occasion the executive of the United States has (by promptly restoring St. Mark's and Pensacola, wrested from Spain in violation of instructions) pursued the course that the constitution demanded, that all former precedents justified, and to which the public sentiment gave a decided approbation.

In reviewing the execution of Arbuthnot and Ambrister, your committee cannot but consider it as an unnecessary act of severity on the part of the commanding general, and a departure from that mild and humane system towards prisoners, which, in all our conflicts with savage or civilized nations, has heretofore been considered not only honourable to the national character, but conformable to the dictates of sound policy. These prisoners were subjects of Great Britain, with whom the United States are at peace. Having left their country, and united their fates with savages with whom the United States were at war, they forfeited their claim to the protection of their own government, and subjected themselves to the same treatment, which might, according to the practice and principles of the American government, be extended towards those with whom they were associated. No process of reasoning can degrade them below the savages with whom

APPENDIX TO CHRONICLE 453

ey were connected. As of war, they were en-claim from the American ent that protection which savage of our foes have experienced, when dis-ard in our power. Hu-budders at the idea of ooded execution of pri-armed and in the power nqueror. And although who respect no laws, ording to the strict prin-the law of nations, have n system of cruelty in- them by way of reta- it is believed that such a ould degrade and debase zed nation who could re- and is not only repug- he mild principles of the religion, but a violation great principles of moral which distinguish the character. Retaliation, ited States, has always fined to specified acts of

It is not believed that apt has ever been made te for charges so general exhibited against Ar- and Ambrister, viz. "In- Indians to war." Dur-revolutionary war, only s occurred of persons or purposes of retalia-ther of whom was exe- The case of Asgih, seized unt of the murder of and governor Hamilton, nes, for specific acts of lso. Hamilton was con- a short time with rigour, wards released. During war, marked with some cold-blooded massacre rt of our enemy, parti-

cularly the one at the river Raisin, no such measure as retaliation was resorted to.

The principle assumed by the commanding general—that Ar-buthnot and Ambrister, by unit- ing in war against the United States while we were at peace with Great Britain, " became outlaws and pirates and liable to suffer death," is not recognised in any code of national law. No-thing can be found in the history of civilized nations which recog- nizes such a principle, except a decree of the executive directory of France, during their short ca- reer of folly and madness, which declares, that neutrals found on board enemies' ships should be considered and treated as pi- rates.

The committee forbear to make any other remarks on the viola- tion of the usual and accustomed forms in the punishment and con- viction of Arbuthnot and Am- brister, except that even despots claiming to exercise absolute power cannot, with propriety, violate their own rules.

Having declared a court mar- tial for the purpose of trying the prisoners, the commanding gen- eral, by his own authority, set aside the sentence of the court- and substituted for that sentence his own arbitrary will. In trials involving the life of an individual, a strict adherence to form is in ordinary cases considered the best security against oppression and injustice.

A departure from these forms is calculated to inflict a wound on the national character, and tarnish the laurels so justly ac- quired

quired by the commanding general by his former victories. Such are the facts as they appear to the committee, and such are the views taken by them of the important subjects referred to their consideration, and, together with their report, they submit various depositions and documents, to which, and to the correspondence and documents relating to the Seminole war communicated to the senate by the president of the United States, at the last and present session, they refer.

PROCLAMATION,

By Lord Cochrane, Vice-Admiral of Chili, Admiral and Commander-in-Chief of the Ships and Vessels of the States.

Being authorized and commanded by the supreme government of Chili strictly to blockade the ports, bays, harbours and the whole coast of the kingdom of Peru,

I hereby declare as follows, viz.

1. That the port of Callao, and all other ports, bays and harbours, as well as the line of coast from the port of Gyaquil to Alacama in Peru, are in a state of formal blockade.

2. All vessels are strictly prohibited from carrying on any commerce, or holding communication with the said ports and places within the fore-mentioned line of blockade.

3. No ships or vessels belonging to friendly or neutral powers now in the bay of Callao, or in any of the ports or anchorages com-

prehended within the blockades aforesaid, shall be permitted to sail therefrom after the lapse of eight days from the date hereof.

4. No neutral flag shall in any case be suffered to cover or to neutralise the property of Spain or of the inhabitants of the countries subject to the king of Spain.

5. Any neutral vessel sailing under false or double papers, or which shall not have the necessary documents to prove the ownership of the property, shall suffer the penalties applicable to the goods and merchandise of the enemies.

6. Every neutral vessel shall have on board military stores, masters, supercargoes, merchants, of the countries subject to the king of Spain, who shall be sent to Valparaiso, there to be adjudged according to the laws of the nations.

7. The present notification shall be transmitted to those to whom it may concern.

Given on board the O'Higgins, bearing the flag of the Commander-in-chief, in the bay of Callao, this 1st of May 1819.

(Signed)

By his lordship's command
COCHRANE.

AND. A. JONTE

Substance of the Convention concluded between Norway and Denmark. Stockholm, September 28.

Act I. Fixes the Norwegian part of the common debt round sum of three millions.

APPENDIX TO CHRONICLE. 135

burgh banco, with 4
ual interest.

Stipulates that these
ns shall be paid in ten
l payments, beginning
st of July 1820 and
th the 1st of July

The interest shall be
rom the 1st of January
60,000 dollars, which
unt of the interest from
l the 1st of July 1820,
aid in two equal pay-
nely, the first half, or
ars, on the 1st of July
the second half on the
1821.

From the 1st of July
interest shall be paid

Obliges the king of
cause a bond for
dollars, payable on
July, to be issued by
ian department of the
ter the exchanges of
ions, and to bind the
which is to assemble
of February 1821, to
e issue of the bonds
aining payment.
to VIII. Stipulate the
f the archives, maps,

Mutual adjustment of
of claims which may
the old union between
l Denmark.

Exchange of the ratifi-
in 20 days.

te article stipulates the
the bonds into the
e minister of the me-
at Stockholm.

on of the Danish Ple-
--Renunciation by his
king of Denmark of

the use of the Norwegian Lion in
the arms; in this respect it is sti-
pulated as follows:—"The Da-
nish monarchy in Europe ceases
to use the emblem before the 1st
of January next year, the agents
and officers within a year, and
the Danish colonies within two
years."

The counter declaration of the
Norwegian Plenipotentiaries ac-
cedes to the above periods.

*Propositions of the Minister of his
Imperial and Royal Apostolic
Majesty, President of the Ger-
manic Diet, to the Diet sitting
at Frankfurt.*

The Minister of his Imperial
and Royal Apostolic Majesty,
presiding at the Diet, has received
orders from his Court to make the
following communications to this
Assembly:—

His Majesty is persuaded that
all the members of the Confe-
deration participate with him in
the wish that the Diet, before ad-
journing, should direct its parti-
cular attention to the spirit of
inquietude and fermentation, the
symptoms of which have for
some years been daily more dis-
tinctly manifested in Germany;
and which has finally shown it-
self in openly seditious writings,
in criminal plots, embracing more
than one part of Germany, in in-
dividual crimes and atrocious
acts of violence.

His Majesty is desirous that
this assembly should seriously
examine the causes of these dis-
orders, and the suitable means
for henceforth securing public
order, respect for the laws, con-
fidence in governments, calm and
general

general contentment, and the tranquil possession of all the benefits which the German princes, under the protection of a peace solidly guaranteed to Europe, have conferred on, or are preparing for the enjoyment of, their people.

The sources of the evil which the governments of Germany are loudly called upon to terminate exist, it is true, partly in temporary embarrassments and derangements, produced by circumstances on which no government can directly or momentarily operate; but they are also connected with defects, vices, or positive abuses, which it is doubtless possible to remedy by well-concerted and maturely combined measures.

Among the objects which in this last respect merit the particular attention of the Diet, the following may be regarded as the most urgent:—

1. The uncertainty which prevails as to the sense of article 13 of the act of confederation.

2. The want of an accurate definition of the rights and powers of the Federal Diet, and of the means necessary for establishing them.

3. The defects of public education in the schools and universities.

4. The abuse of the press, and particularly the excesses which appear in the journals, periodical papers and ephemeral publications.

In the hope that the Diet will immediately occupy itself with these important objects, the minister of his imperial Majesty has been ordered to present several

plans of decrees to this assembly as well as measures relative to the points indicated above, as for the establishment of a central mission, the object of which may be found explained in the substance of the present proposition.

Edict of Censorship for the Kingdom of Hanover.

“George, Prince Regent, in the name and on the behalf of His Majesty, &c. King of Great Britain and Ireland, King of Hanover, &c. We have, in consequence of the resolution adopted with our consent by the General Diet in the sitting of the 2d September, with reference to the liberty of the press, agreed to the following edict of censorship published on the 31st of October 1731.” Then follows the substance of the edict of 1731, under the reign of George II, which confirms one published in 1705, under the reign of George I, Elector of Hanover, after the death of George I of England. In former times, no work is allowed to be published in the Hanoverian dominions, or sold by Hanoverian booksellers, which has not previously undergone the revision of a censor appointed by government. The publisher’s and the editor’s, if a person, must likewise be sworn to.

“This decree,” says the edict, “is hereby renewed and declared binding for the whole of our German territories;

“And besides, farther to be decreed, that no writing shall be either printed, or (if printed out of the country) circulated in our kingdom of Hanover,

APPENDIX TO CHRONICLE. 157

bear on it the name of the
r, and in so far as it be-
the class of newspapers
odical publications, also
s of the editors. Printed
1 which this regulation is
erved, shall be seized as
discovered, and the circum-
unished by fine or impri-
, according to the cir-
ces of the case.

commanded, that all the
ies of the kingdom of Han-
ton it may concern, shall
regard to this ordinance;
rder that it may be gene-
own, it shall be inserted
at division of the collec-
he laws.

the special command of
highness the Prince Re-

“ DECKEN, BREMER,
“ ARNSWALDT.
ver, 14th October.”

*Edict of Censorship, Oct.
18th, 1819.*

ll the books and writings
l to be published in our
hall be subject to the ap-
on of a censorship, regu-
y the subjoined articles,
neither be printed nor
thout permission given in

ne censorship will not pre-
sincere and discreet in-
ion of truth. It will im-
restraint on writers, and
t shackle the bookselling
Its object is to prevent
r is contrary to the prin-
f religion in general, with-
king any distinction be-
he opinions and doctrines

of the different constitutions and
sects tolerated in the state, to
suppress whatever attacks morals
and manners; to resist the fan-
tical mania of mixing the truths
of religion and politics, and to
prevent the confusion of ideas re-
sulting therefrom; finally, to
avert whatever might tend to
compromise the safety and the
dignity either of the Prussian
monarchy, or of the other states
of the Germanic confederation.

In the latter class are included
all theories which tend to shake
the monarchic and other consti-
tutions existing within these states;
injuries directed against govern-
ments having amicable relations
with the Prussian state and the
persons administering those go-
vernments; every thing which
might excite discontent in Prussia
or in the other states of the con-
federation, and resistance to the
existing laws; all attempts having
for their object to form, within or
without the country, illegal par-
ties or associations, or finally, to
present under a favourable point
of view the parties who, in a state,
labour to overthrow its constitu-
tion.

3. The superintendence of the
censorship of all the writings
which appear in our states, what-
ever may be their contents, is ex-
clusively intrusted, both in Berlin
and the provinces, to the first pre-
sidents, who shall propose for
each department, for the greatest
possible expedition, a sufficient
number of able and well-informed
censors worthy of confidence.

This proposition shall be made
through the medium of the su-
preme college of censorship,
established

established by article 4, at the police department of the minister of the interior; and for exterior relations at the office of the ministry for foreign affairs; for works of theology and science at the office of the ministry for worship and public instruction. These censors shall, under the direction of the first presidents and according to the instructions they may have received, examine the manuscripts delivered to them.

4. The censorship of newspapers, periodical publications, or more considerable works, which treat exclusively or in part of the history of the times or of politics, is under the supreme direction of our ministry for foreign affairs; that of works of theology and purely scientific works is under the direction of the ministry for worship and public instruction. All the other objects of censorship are under the superintendence of the police department, of the ministry of the interior.

The censorship of poetry and miscellaneous writings, programs for schools, and other detached papers of that description, is abandoned, except in towns where there is a first president, to the police authorities of the place where such papers are printed; nevertheless under the superintendence and control of the first presidents.

The superior authority of censorship is authorized to declare to the proprietor of a gazette, that the editor named by him is not a person in whom the necessary confidence can be placed. In this case, the proprietor is obliged either to get another

editor; or, if he chooses to retain the one he has appointed, to give security for him to an editor, which shall be fixed by our minister of state, on the proposal of the superior authority of censorship.

Decree of Regulation for Provisional Execution relative to article 2 of the Act of Confederation.

Art. 1. Until a regulation for the execution definitive and complete in all its parts, be prepared by the Diet of the Germanic Confederation is authorized and invited by the present provisional regulation, to assure, in the following manner, the accomplishment of the execution of all the resolutions which it may consider itself sufficiently engaged and authorized to adopt, for the preservation of internal security and public order and for the maintenance of the rights of the state of possession until legal or judicial process takes place.

2. For this purpose the Diet will, every six months, elect for that period a commission of members chosen from its members, which commission shall continue in activity during the vacation.

3. To this commission shall be addressed all representations, reports, propositions and resolutions relative to the execution of the resolutions of the Diet.

The remaining articles of the decree point out the means by which the commission is to communicate with the members of the confederation, and regulate its powers and duties.

Provision



APPENDIX TO CHRONICLE. 159

and Decree relative to the measures to be taken concerning universities.

The Sovereign shall appoint for each university an ordinary commissioner, with suitable instructional powers, residing in the city where the university is established. He may be either the Emperor, or any other person whom the government may appoint.

The duty of this commissioner shall be to watch over the most exact observance of the laws and ordinary regulations; to preserve carefully the spirit with which the professors and tutors are invested in their public and private lectures; to endeavour, without interfering directly in the progress of the courses, or in the method of instruction, to give them a salutary direction, and to devote attention to every thing which tends to the maintenance of morality, good order and discipline among the youths.

The governments of the different members of the confederation shall reciprocally engage themselves from their universities and establishments of instruction, to inform the professors and other persons, against whom it is proved, that in departing from their duty, in overstepping the limits of their duty, in abusing their legitimate influence over the minds of youth, by the propagation of pernicious dogmas, or in sapping the foundations of existing establish-

ments, they have shown themselves incapable of executing the important functions entrusted to them, without any obstacle whatever being allowed to impede the measure taken against them, so long as the present decree shall remain in force, and until definitive arrangements on this point shall be adopted.

A professor or tutor thus excluded, cannot be admitted in any other state of the confederation to any other establishment of public instruction.

Sect. 3. The laws long since made against secret or unauthorized associations at the universities, shall be maintained in all their force and rigour, and shall be particularly extended with so much the more severity against the well-known society formed some years ago under the name of the General Burgenschaft, as it has for its basis an idea, absolutely inadmissible, of community and continued correspondence between the different universities.

The governments shall mutually engage to admit to no public employment any individuals who may continue or enter into any of those associations after the publication of the present decree.

Sect. 4. No student who, by a decree of the Academic Senate confirmed by the government commissioner, or adopted on his application, shall be dismissed from a university, or who, in order to escape from such a sentence, shall withdraw himself, shall be received in any other university; and in general, no student shall be received at another university without a sufficient attestation

attestation of his good conduct at the university he has left.

Decree relative to the Measures for preventing the Abuses of the Press.

Sect. 1. As long as the present decree shall be in force, no writing appearing in the form of a daily paper or periodical pamphlet, which does not contain more than 20 printed leaves, shall be issued from the press without the previous consent of the public authority.

The works not comprehended under this regulation shall continue to be regulated by the laws now existing, or which may be hereafter enacted; and if any work of the above-mentioned description shall give rise to a complaint on the part of any state of the confederation, the government to which the complaint may be addressed shall cause proceedings to be instituted in its name against the authors or editors of the said work.

Sect. 2. Each government is at liberty to adopt, for the maintenance and execution of the present decree, those measures which may appear the most suitable; it being well understood that these measures must be recognized proper to fulfil the object of the principal regulation of Art. 1.

Sect. 3. The present decree being called for by the necessity generally acknowledged of adopting some preventive measures against the abuse of the press in Germany, as long as this decree shall remain in force, the laws attributing to the tribunals the pro-

secution and punishment of abuses and offences committed by the press, inasmuch as they apply to the writings specified in Art. 1, cannot be considered sufficient in any state of the confederation.

Sect. 4. Each government of the confederation is accountable for the writings published within its jurisdiction, and consequently for all those comprehended in the principal regulation of Art. 1, and when these writings threaten the dignity or safety of a state of the confederation, they make attacks upon its constitution or its administration, the government which tolerates them is responsible, not only to the state which suffers directly therefrom, but to the whole confederation.

Sect. 5. In order that the responsibility, founded in the nature of the Germanic Union, inseparable from its preservation, may not give rise to dissensions which might compromise the amicable relations subsisting between the confederated states, all the members of the confederation must enter into a solemn engagement to devote their serious attention to the maintenance of the present decree, and to execute it in such a manner as to prevent as much as possible all reciprocal complaints and discussions.

Sect. 6. In order, however, to assure better the guaranteed moral and political inviolability of the states of the confederation, which is the object of the present decree, it is to be understood that in case a government is itself injured by writings published under another govern-

APPENDIX TO CHRONICLE. 161

not obtain complete satisfaction by amicable and diplomatic representations, that government will be at liberty to send a complaint to the Diet, and in such a case, will hold the Diet to appoint a committee to examine the writing, and if the report of the committee state it to be necessary to command the suppression of the writing, and also to prevent its continuance if it be the subject of periodical publication.

The Diet will proceed also, on a previous denunciation, by its own authority, against any publication comprised in the principal regulation of Art. I. Every state of Germany it is published, if in the opinion of a commission appointed for that purpose, it may have injured the dignity of the confederation, the safety of any members, or the internal peace of Germany, without any remedy being afforded against the publication given in such a case, which shall be carried into effect by the government responsible for the publication.

7. The editor of a journal or other periodical publication may be suppressed by the decision of the Diet, shall not be renewed, during the space of five years, to conduct any similar publication in any states of the confederation.

Authors, editors and publishers of newspapers or periodicals and others, mentioned in paragraph of Article 1, LXI.

shall be, in other respects, upon submitting to the regulation of that article, free from all responsibility; and the judgments of the Diet, mentioned in the preceding article, will be directed only against the publications, without affecting individuals.

Sect. 8. The confederated states engage within six months to acquaint the Diet with the measures which each shall have adopted to carry into execution the first article of this decree.

Sect. 9. Every work printed in Germany, whether comprehended in the regulations of this decree or not, must bear the name of the printer or the editor; and if it be of the number of periodical publications, of the principal editor. Every work in circulation in any of the states of the confederation, with respect to which these conditions have not been complied with, will be seized and confiscated, and the person or persons who may have published and sold it condemned, according to the circumstances of the case, to the payment of fine, or some other punishment proportionate to the offence.

Sect. 10. The present decree shall remain in force during five years from the date of its publication. Before the term of its expiration the Diet will take in to mature consideration in what manner the 18th article of the federal act relative to the uniformity of laws on the conduct of the press in the confederated states, can be carried into execution, by definitively fixing the legal limits of the press in Germany.

M

Decree

Decree relative to the formation of a Central Commission, for the purpose of Ulterior Inquiry respecting Revolutionary Plots, discovered in some of the States of the Confederation.

Art. 1. In 15 days from the date of this decree, an extraordinary commission of inquiry, appointed by the Diet and composed of 7 members, including the President, shall assemble in the city of Mentz, a fortress of the confederation.

2. The object of this commission is, to make careful and detailed inquiries respecting the facts, the origin and the multiplied ramifications of the secret revolutionary and demagogic associations, directed against the political constitution and internal repose, as well of the confederation in general, as of the individual members thereof; of which indications more or less conclusive have been already discovered, or may result from ulterior researches.

3. The Diet elects by the plurality of suffrages the seven members of the confederation who are to appoint the members of the central commission.

4. None can be elected members of the central commission but civil officers, who in the state which appoints them are fulfilling, or have fulfilled, judicial functions, or have been engaged in preparing processes in important investigations.

5. In order to attain the end proposed, the central commission shall undertake the general direction of the local investigations

which have already been commenced, or may hereafter be instituted.

6. All the members of the confederation, in the territories in which investigations of this nature have been already commenced, engaged to point out to the central commission, immediately after it shall be constituted, the local authorities to whom the investigations have been previously confided.

7. The central commission is authorized to examine every individual whom it may judge necessary. To secure his appearance, it will apply to the superior authority of the members of the confederation, or to the authorities who, in virtue of Art. 6, have been pointed out for this purpose.

Articles 8, 9, and 10, which conclude this decree, and the proposition of the Imperial Minister, consist merely of directions for regulating the routine proceedings of the central commission.

Circular of the Cabinet of Ministers to its Ambassadors, Ministers and Diplomatic Agents at Foreign Courts.

You have already seen the official message which, in consequence of the conference at Carlsbad, Austria presented to the Germanic Diet. You will likewise that all the propositions which it contained have been converted into decrees by the assembly, and that these decrees passed unanimously. But, as it is of great consequence to the powers of Europe should

APPENDIX TO CHRONICLE. 163

udge these resolutions under true point of view, I think y duty to enable you to nt them in the most favour-light, and to make them n in their causes, their e and effects. It is long the political and moral of Germany was calculated use legitimate alarms to all riends of social order and : tranquillity. However in general was the mass e people, and however at- d to its sovereigns in the nt states of the confedera- it could not be disguised here prevailed a secret in- ide and a concealed ferment- , supported and aggravated : unbridled licence of speech ritings. This fermentation id was in part natural, and be explained by the extra- ry events which, during r of the deliverance, had men of all classes from aten track of habit; by the ces which the liberation of ny had cost to the states, hich they felt more in peace they had felt during the ; by the exaggerated hopes husiastic minds, which had ed of a golden age, and ed themselves with seeing ag from the bosom of the ge which had scarcely ex- in fine, by the violent crisis istry and commerce, which, ing from an order of things and contrary to nature, not be brought all at once level of new circumstances, hich suffered at once from ast and the future. The l discontent resulting from united causes was more sad

than dangerous, and must have yielded to the slow operation of time, or to the benevolent and enlightened activity of govern- ments, which, too long with- drawn from their internal con- dition, began to occupy them- selves with it with as much love as zeal.

But, along with this natural discontent, there existed an arti- ficial and factitious discontent, which, taking its source in erre- neous principles, in ambitious and chimerical theories, in secret and culpable views, in base and interested passions, created and propagated by revolutionary writings and speeches, could form with the other a dangerous alliance, and artfully nourish it, in order to mislead the public mind, and produce the most fatal excesses. Those who had ob- served with an impartial and attentive eye the situation of the public mind in Germany, had for a long time suspected the exist- ence of a party spread over all the surface of that vast country, deriving its origin from elective affinities of opinions and senti- ments, and fortified by formal as- sociations, which worked to over- throw Germany, and to substi- tute for its actual state a republic, one and indivisible, or some other chimera, which could not even be attempted but by violent re- volutions, and the prelude to which must have been the over- throw of all the reigning dynas- ties.

An atrocious crime (that of Sandt) affords a measure of the audacity and madness of the revolutionary party. This atro- city, committed by the arm of a single

single individual, who, perhaps, had not accomplices, properly so called, was not less the fruit of the general mode of a certain class, the visible effect and the striking sign, the indubitable symptom, of a malady serious, profound, and extended, which revealed itself in this manner to affrighted Germany. To be convinced of this, it is only necessary to collect the judgments of the class of teachers, of students, of writers, and of all those who were subjected to their influence, regarding that frightful action which excited the indignation of nations and found apologists among the initiated. While it inspired terror into the former, it excited the admiration of the latter.

The inquiries which were instituted on the place where the crime was committed provoked or led to others in different parts of Germany. Prussia felt the necessity of enlightening, by extraordinary means, the darkness in which was formed the formidable alliance of false doctrines and wants,—of maxims disinterested in appearance with personal passions. The result of these inquiries has been every where the same; every where facts have supported suppositions, which were too well founded; every thing has proved the existence and activity of a party which sowed in darkness for a harvest, more or less remote, the seeds of revolution. The leaders are linked together by the identity of their principles and sentiments; hold the one to the other by a natural attraction; communicate by letters, but still more

by frequent journeys and political missionaries: they support each other with personal knowledge, and often enter into a mutual understanding without a formal explanation. Their object is, to dissolve society, to efface all the political differences which at present exist between the people of Germany, to substitute the real unity of that vast country for the union of its members, and to arrive, through the ruins of existing arrangements, at a new order of things. Their means are, to obtain a hold over the rising generation, by communicating the same spirit, the same sentiments, the same habits, in all the institutions for education, from the schools to the Universities. Their spirit is a spirit of independence and of pride, of subversive principles, founded on a system of abstruse metaphysics and mystic theology, for the purpose of fortifying political with religious fanaticism. Their sentiments are those of contempt for every thing that exists, hatred against kings and governments, enthusiasm for the phantom which they call liberty, and love for things out of the ordinary course. Their habits are those of physical force and bodily address; and above all, a taste for secret and mysterious societies, as so many instruments that they may employ against the existing order of society.

The Turnwesen and the Burschenschaft, tending to form of the whole youth a state within the state, have no other object. Within a few years, young men, thus fashioned into docile instruments of their masters, being

APPENDIX TO CHRONICLE. 165

under the Government, and themselves of their will to overthrow it. The

of these sectaries, such as revealed by the crime at Mannheim and the for that crime, may lead to two maxims, perverse and bad; the first, the end legitimates the means; the second, that evil is in themselves in that their value depends on the ideas which are attached to them, and that these are always laudable, they have for their sake independence and Germany.

the nature of the evil and investigations have manifested. It is plain that going on is not conspiracy, preparation for a revolution of Prussia only or of all Germany; but of the present moment, but more. From the moment of the movements of Germany and probed the became their duty to draw attention to the which the progress of was to be combated, and our to eradicate it.

were general, and the therefore be corrected general measures, adopted and unanimously assented by all the Germanic to proceed merely individuals who had acted as best acquainted with the views and plots of the not as the most guilty, were chiefly destined to the means of investigation have been partial and

insufficient. It was through the causes that the effects were to be prevented.

Such was the sole object of the conferences at Carlsbad; they had no other than to concert, with all the parties interested, the fittest means of creating guarantees for a social order in Germany; either by giving more force, dignity and power to the Germanic Diet, or by agreeing on common principles, to be followed by all the German States, respecting the two great vehicles of opinion, the press and education. The Ministers of all the principal Courts assembled at Carlsbad were perfectly united in sentiments and views. The evil appeared in a manner so evident, and under forms so alarming, as to strike and occupy every mind. The measures best calculated to remove and prevent it were at once so simple and so palpable, so plainly indicated by the causes of the evil, and so conformable to the principles of justice and humanity by which all the Princes of Germany are actuated, that the propositions to be submitted to the Diet experienced no opposition, and were made with the general assent of the Sovereigns and their Ministers. That these propositions were at the same time urgent, and dictated by a common interest, is completely proved by the fact, that merely to present them to the Diet was almost sufficient to cause their adoption, and that they were unanimously converted into resolutions. This important and truly admirable unanimity displays in the fullest light the union of the States of Germany;

Germany; and that union which caused the adoption of the proposed measures guarantees still more their success and the security of Germany, than the measures themselves. That union is the only possible unity; and as it is a living unity, not in name, but in fact—not in form, but in sentiment and in interest, the best results may and ought to be expected from it.

It would be useless to enter into long discussions on the reasons and motives which united all suffrages for the proposed measures. They speak for themselves, and are partly announced in the communication of the President. I consider it necessary, however, to add the following considerations:—

When the Sovereigns of Germany, assembled at the Congress of Vienna, declared by article 13 of the Federal Act, that there should be a constitution of states in the several integral parts of the Germanic Confederation, they promised in reality only what they could, and wished to grant to their people; what they would already have performed if the labours preparatory to that institution had permitted them, and what they are about to execute without further delay. But it is certain that the article in question was expressed in a very vague manner, and the innovators have availed themselves of this vagueness, to substitute their own foolish ideas or fantastic hopes respecting Sovereigns. It was, therefore, of much importance that a more precise explanation should be given on this subject, in order to repress the preten-

sions of sectaries, and to point out errors in fact and in act, on the part of the governments. It is what has just been done by the Diet.

The Sovereigns promise the presentation of states to the people,—an ancient institution the revival of which was contemplated,—an institution traditional and Germanic,—an institution which, affording to different classes of property the legal means of enlightening the Sovereign, and of having a Germanic voice in the wants and wishes of the nation, is in itself a monarchic institution. If the Princes of Germany never were united, and are not pledged, to give to their people a representation in the modern sense of the word, on the principle and scale of the constitutions hitherto formed in Germany; a national representation, which, being calculated according to extent of territory, population, and invested with sovereign attribution, would change the nature of the existing governments and introduce democracy into monarchy. The pestilential malady which attacks a part of Germany, and which threatens if no remedy be applied, to spread more and more ground, originates in a great measure in the influence of the press and the bad system of the professors in more than one university. There was found the source of the popular false doctrines. There in particular, measures taken in case of emergency were necessary. For what advantage would it be to a German government to prevent the influence of the press, if another system were not tolerated it?

APPENDIX TO CHRONICLE. 167

be gained by dismissing in a professor who abused nation by perverting the of his auditors, if he might obtain a chair in another city? It was, therefore, necessary to establish every where schools founded on the same principles. This the Diet has endeavoured to accomplish. The matter is not an easy one: but regard to the liberty of the press it has been solved in a manner calculated to conciliate the interests of science, which is that learned works and and profound researches be free from all shackles, the interests of public order, and those of the reputation of the governing and the press, which require that papers and pamphlets should be subject to a censorship, in order that the people may not be misled by the poison of their passions and erroneous doctrines nor citizens dishonoured by slanders and calumnies. In regard to the Universities that renders them justly in Germany,—the real free scientific instruction, the freedom of the studies which may be pursued in them, their particular and original forms, remain untouched. But they are subject to a more strict surveillance, and it was concluded that the most certain way of repressing the political and anti-religious deviations of professors was, to announce to the serious consequences their false doctrines would bring upon the whole of their race. As to the students, a prohibition

has been renewed which will be supported, and will prevent young men preparing for a life at once learned and active, from becoming what they ought not to be.

In vain would the Diet have decreed these resolutions, had it remained destitute of a coactive power capable of causing them to be respected. A mode of execution which should be certain, and consequently supported by a sufficient force, was still wanting to the federation. This want formed one of the principal chasms in the federal act; but it is now supplied. The states of Germany, the great as well as the small, so fully recognized the necessity of organizing a coactive power in the confederation, that they did not hesitate to sacrifice to the dignity, the consistency, and the efficiency of the Diet, the fears which weakness might create in some, and those which superiority might suggest to others. In framing this law of execution, it has been endeavoured to guard the independence of each state as far as possible, without compromising the existence of the association. As the threads of the revolutionary plots cross each other in different directions, and extend to many countries where particular investigations have detected and pointed them out without being able to follow them, it has been concluded that a general Committee of Inquiry, purely temporary, would best collect and connect the facts, in order to exhibit them to all Germany as a lesson for the people and a guide for Princes. The manner in which the commission

will be formed, the spirit of the Governments which are to appoint it, and its limited duration, must suffice to tranquillize the minds of those who are the most ready to take fire at every measure of security which in the slightest degree threatens individual liberty.

Such, Sir, is the sense in which you will represent to the ministry of the Court at which you are accredited, the measures just taken at the Diet.

The considerations which I have communicated to you will be sufficient to enable you to make it be felt, that these measures are connected with each other; that they are the consequences of the same principles; that they tend to the same object; and that they form a whole which should inspire the greatest confidence in their results and the effect which they cannot fail to produce.

It is especially important that you should draw the attention of the ministry, to two results of the new system, which will be beneficial to all Europe.

The Powers of Europe, who combined their efforts against the destructive consequences as well as against the principles of the French revolution; who have replaced legitimacy and property on their ancient bases; who, by solemn treaties, have reciprocally guaranteed this state of things, are more than ever bound as a whole for every thing which relates to their internal tranquillity. One country cannot now be revolutionized, or threatened with revolution, without others being shaken or trembling lest they

should be so. The enervated social order in the different countries of Europe are united together, not merely by identical principles, but by the communications. Their joys, their scandalous griefs, fears and their hopes are where the same; and, in respect, there reigns among a perfect community of The sovereigns, who are their friends and protectors of order, cannot flatter themselves with being able to combat enemies with success, unless they are united in a profession of principles, and in the same measures to defend It is not for themselves, it is for the people; it is not from love of power, but out of devotion to liberty, that they to put in practice all measures maintaining their tutelar responsibility. They ought, therefore, to applaud what Germany has done, and to follow her foot- It may be said, without exaltation, that the tranquillity of Europe depends upon Germany and the repose of Germany its geographical position country is the centre, or the heart of Europe; a heart cannot be injured or ceased without its being over the body politic.

The measures adopted to the Germanic Confederation more unity, force and far from inspiring the neighbouring powers of Germany with apprehensions or jealousies, on the contrary to be agreeable to them, as they to see in them new guarantees the general peace. The f

Germanic federation, like all federal unions established between powers of the rank, will never be any thing offensive. It will maintain rights and its independence, will never menace those of us; and the greater the power Germany becomes, the more easily it will extinguish in birth or arrest in their progress all those projects which may be contrary to the tie of fraternity or to the Holy Alliance which unites the states of Europe. Receive, Sir, the assurance of my warmest consideration.

BERNSTORFF.

Decree. The Supreme Director of the State of Chili.

Whereas, the state of Chili in the cause of liberty in America experiences incalculable injury from the facilities afforded to neutral vessels to the ports of Chili, which are under Spanish domination; and wishing to end the injuries which the inhabitants of Chili suffer from the oppression of Spanish agents, and like the monopoly of Spanish commerce, exercised to the injury of all mercantile nations.

Therefore, I, Bernardo O'Higgins, supreme director of the State of Chili, in virtue of the authority given by the law of nations to every independent power, to diminish the resources of the enemy and to check his operations,—I, by these presents, do decree,—

That all the ports and anchorages in the Pacific Ocean, lying from the latitude south 33° to 12°, 42°, be, and they are

hereby, blockaded by the Chilean squadron, under the command of our admiral, Lord Cochrane, that is, from Yquique to Guayaquil. The blockade to be commenced from the first day of March 1819, in conformity with the following regulations:

2. Neutral vessels of all nations, from Europe, from the United States, or from any British possessions in America, which shall be found entering in any of the ports comprehended in this decree, in seven months from this date, shall be notified of the blockade by the Commander-in-chief of the Chilean squadron, and after this formal notification, shall not be permitted to enter the said ports, nor have the least communication with them.

3. Equal notification will be given in five months from the above date to all neutral vessels coming from ports of Brazil; six months to those proceeding from the coasts and islands of Africa; one year to those proceeding from the ports of Asia; and three months to those from the coast of Rio de la Plata.

4. All neutral vessels on board of which shall be found warlike stores or enemies' property, officers, masters, supercargoes, or merchants, belonging to the countries under the dominion of the king of Spain, shall be sent to Valparaiso, to be adjudged according to the laws of nations.

5. As sufficient time has been given in the 2nd and 8th articles in this decree to all friendly vessels, of whatever flag they may come under, to avoid the ports thus blockaded, any vessel which

which shall be found contravening this decree, shall be sent to Valparaiso to be adjudged according to the law of nations.

6. All neutral vessels which shall be found navigating with double or false papers, and deficient in the necessary documents to establish the character of property, shall be considered as enemy's property and judged accordingly.

7. The present decree shall be published and circulated for the information of all concerned.

Given at the directorial palace at St. Jago of Chili, sealed with the arms of the state, and countersigned by the secretary of Marine the 20th of April 1819, 2nd year of independence.

BERNARDO O'HIGGINS.

Jose Ignacio Zenteno, secretary.

Treaty of Amity, Settlement and Limits, between the United States of America and his Catholic Majesty.

The United States of America and his Catholic majesty, desiring to consolidate on a permanent basis the friendship and good correspondence which happily prevails between the two parties, have determined to settle and terminate all their differences and pretensions by a treaty which shall designate with precision, the limits of their respective bordering territories in North America.

With this intention the president of the United States has furnished with their full powers John Quincy Adams, secretary of state

of the said United States; and his Catholic majesty has appointed the most excellent Lord Don de-Onis Gonzalez Lopez y Lord of the town of Ray Perpetual Regidor of the corporation of the city of Salam Knight Grand Cross of the American Order of Isabell Catholic, decorated with the of La Vendee, Knight Penn of the Royal and distinguished Spanish order of Charles Third, member of the Sup Assembly of the said royal of the council of his Catholic majesty, his secretary with execution of decrees, and his envoy extraordinary and minister plenipotentiary near the United States of America.

And the said plenipotentiaries, after having exchanged powers, have agreed upon and concluded the following articles:—

Art. 1. There shall be a firm and inviolable peace and sincere friendship between the United States and their citizens, and his Catholic majesty, his successors and subjects, without exception of persons or places.

Art. 2. His Catholic majesty cedes to the United States full property and sovereignty of the territories which belong to him situate to the eastward of the Mississippi, known by the name of East and West Florida. The adjacent islands dependent on the provinces, all public lots, squares, vacant lands, public edifices, fortifications, barracks and other buildings which are not private property, archives and documents which relate directly to property and sovereignty of the

APPENDIX TO CHRONICLE. 171

es, are included in this ar-
The said archives and do-
s shall be left in possession
commissaries, or officers of
ited States duly authorized
ive them.

3. The boundary line be-
be two countries, west of
Mississippi, shall begin on the
of Mexico, at the mouth
river Sabine in the sea,
ing north, along the
bank of that river, to the
egree of latitude; thence
e due north to the degree
litude where it strikes the
so of Natchitoches, or Red-
pace following the course
o Roxo westward, to the
of longitude 100 west
ondon and 23 from Wash-
; then crossing the said
er and running thence by
ue north to the river Ar-
; thence following the
of the southern bank of
ansas to its source, in lati-
2 north; and thence by
arallel of latitude to the
sea; the whole being as
wn in Melish's map of the
States published at Phila-
, improved to the 1st of
y 1818. But if the source
Arkansas river shall be
to fall north or south of
e 42, then the line shall
om the said source due
or north, as the case may
it meets the said parallel
ude 42, and thence along
parallel to the South sea;
islands in the Sabine and
l Red and Arkansas rivers
hout the course thus de-
, to belong to the United
; but the use of the waters
avigation of the Sabine to

the sea, and of the said rivers
Roxo and Arkansas throughout
the extent of the said boundary,
on their respective banks, shall
be common to the respective in-
habitants of both nations. The
two high-contracting parties agree
to cede and renounce all their
rights, claims and pretensions to
the territories described by the
said line: that is to say, The
United States hereby cede to his
Catholic majesty, and renounce
for ever all their rights, claims
and pretensions to the territories
lying west and south of the above-
described line; and in like man-
ner his Catholic majesty cedes to
the said United States all his rights,
claims and pretensions to any ter-
ritories east and north of the said
line, and for himself, his heirs and
successors, renounces all claim to
the said territories for ever.

Art. 4. To fix this line with
more precision, and to place the
landmarks which shall designate
exactly the limits of both na-
tions, each of the contracting
parties shall appoint a commis-
sioner and a surveyor, who shall
meet, before the termination of one
year from the date of the ratifica-
tion of this treaty, at Natchitoches
on the Red-river, and proceed to
run and mark the said line from
the mouth of the Sabine to the
Red-river, and from the Red-river
to the river Arkansas, and to as-
certain the latitude of the source
of the said river Arkansas, in con-
formity to what is above agreed
upon and stipulated, and the line
of latitude 42 to the South sea;
they shall make out plans and
keep journals of their proceed-
ings, and the result agreed, upon
by them shall be considered as
part

part of this treaty, and shall have the same force as if it were inserted therein. The two governments will amicably agree respecting the necessary articles to be furnished to those persons and also to their respective escorts, should such be deemed necessary.

Art. 5. The inhabitants of the ceded territories shall be secured in the free exercise of their religion without any restriction; and all those who may desire to remove to the Spanish dominions shall be permitted to sell or export their effects at any time whatever, without being subject in either case to duties.

Art. 6. The inhabitants of the territories which his Catholic majesty cedes to the United States by this treaty shall be incorporated in the Union of the United States, as soon as may be consistent with the principles of the Federal constitution, and admitted to the enjoyment of all the privileges, rights and immunities of the citizens of the United States.

Art. 7. The officers and troops of his Catholic majesty in the territories hereby ceded by him to the United States shall be withdrawn, and possession of the places occupied by them shall be given within 6 months after the exchange of the ratifications of this treaty, or sooner, if possible, by the officers of his Catholic majesty to the commissioners or officers of the United States duly appointed to receive them; and the United States shall furnish the transports and escort necessary to convey the Spanish officers and troops and their baggage to the Havannah.

Art. 8. All the grants made before the 24th of Jan. 1818, by his Catholic majesty by his lawful authorities in said territories ceded by his majesty to the United States, be ratified and confirmed to the persons in possession of the same to the same extent that the grants would be valid if the territories had remained under the dominion of his Catholic majesty. But the owners in possession of such lands, who, by reason of the recent circumstances of the Spanish nation and the revolution in Europe have been prevented from fulfilling all the conditions of their grants, shall conform to them within the terms limited in the same respectively, from the date of this treaty; in default of which, the said grants shall be null and void. All grants made since the said 24th of Jan. 1818, when the first proposition was made for the cession of the Floridas to the United States, for the cession of the Floridas was made, are hereby declared null and agreed to be null and void.

Art. 9. The two high contracting parties, animated by the earnest desire of conciliation with the object of putting an end to all the differences which existed between them, and confirming the good understanding which they wish to be forever maintained between them, do hereby mutually and expressly renounce all claims, damages or injuries which they themselves, as well as the respective citizens and subjects, may have suffered until the day of signing this treaty.

1. The renunciation of the United States will extend

APPENDIX TO CHRONICLE. 173

uries mentioned in the
ion of the 11th of August,

all claims on account of
made by French privateers
demned by French con-
in the territory and juris-
of Spain.

all claims of indemnities
unt of the suspension of
t of deposit at New Or-
1802.

all claims of citizens of
ted States upon the go-
it of Spain arising from
awful seizures at sea, and
ports and territories of
r the Spanish colonies.

o all claims of citizens of
ted States upon the Spa-
vernment; statements of
soliciting the interposition
government of the United
have been presented to
artment of state, or to the
of the United States in
ince the date of the con-
of 1802, and until the
re of this treaty.

renunciation of his Catho-
aty extends,

To all the injuries men-
in the convention of the
August, 1802:

o the sums which his Ca-
majesty advanced for the
of captain Pike from the
ias Internas.

o all injuries caused by the
tion of Miranda, that was
out and equipped at New

To all claims of Spanish
s upon the government of
ited States arising from
ul seizures at sea, or within
rts or territorial jurisdic-
the United States.

Finally, to all the claims of
subjects of his Catholic majesty
upon the government of the
United States, in which the in-
terposition of his Catholic ma-
jesty's government has been so-
licitated before the date of this
treaty, and since the date of this
convention of 1802, or which
may have been made to the de-
partment of foreign affairs of his
majesty, or to his minister in the
United States.

And the high contracting par-
ties respectively renounce all
claim to indemnities for any of
the recent events or transactions
of their respective commanders
and officers in the Floridas.

The United States will cause
satisfaction to be made for the
injuries, if any, which by process
of law shall be established to have
been suffered by the Spanish of-
ficers and individual Spanish in-
habitants, by the late opera-
tions of the American army in
Florida.

Art. 10. The convention en-
tered into between the two go-
vernments on the 11th of Au-
gust, 1802, the ratifications of
which were exchanged the 21st
December, 1818, is annulled.

Art. 11. The United States,
exonerating Spain from all de-
mands in future on account of
the claims of their citizens, to
which the renunciations herein
contained extend, and consider-
ing them entirely cancelled, un-
dertake to make satisfaction for
the same, to an amount not ex-
ceeding five millions of dollars.
To ascertain the full amount and
validity of those claims, a com-
mission, to consist of three com-
missioners, citizens of the United
States,

States, shall be appointed by the president, by and with the advice and consent of the senate; which commission shall meet at the city of Washington, and, within the space of three years from the time of their first meeting, shall receive, examine and decide upon the amount and validity of all the claims included within the descriptions above-mentioned. The said commissioners shall take an oath or affirmation, to be entered upon the record of their proceedings, for the faithful and diligent discharge of their duties; and in case of the death, sickness, or necessary absence of any such commissioner, his place may be supplied by the appointment as aforesaid, or by the president of the United States during the recess of the senate, of another commissioner in his stead. The said commissioners shall be authorized to hear and examine, on oath, every question relative to the said claims, and to receive all suitable, authentic testimony concerning the same. And the Spanish government shall furnish all such documents and elucidations as may be in their possession, for the adjustment of the said claims according to the principles of justice, the laws of nations and the stipulation of the treaty between the two parties of 27th October, 1795; the said documents to be specified, when demanded, at the instance of said commissioners.

The payment of such claims as may be admitted and adjusted by the said commissioners, or the major part of them, to an amount not exceeding five millions of dollars, shall be made by the United States, either immediately at their

treasury, or by the creation of stock, bearing an interest of five per cent per annum, payable from the proceeds of sale of public lands within the territory hereby ceded to the United States, or in such other manner as the congress of the United States may prescribe by law.

The records of the proceedings of the said commissioners, together with the vouchers and documents produced before them relative to the claims to be adjusted and decided upon by them, shall, after the close of their transactions, be deposited in the department of state of the United States; and copies of the whole or any part of them, shall be furnished to the Spanish government, if required, at the desire of the Spanish minister in the United States.

Art. 12. The treaty of commerce and navigation of 1795, reconfirmed in all and each of its articles, excepting the 3rd, 4th and 21st, and the clause of the 22nd article, having been altered by this treaty, or having received their execution, are no longer valid.

With respect to the 15th article of the same treaty of friendship, limits and navigation of 1795, in which it is stipulated that the flag shall cover the property, the two high contracting parties agree, that this shall be understood with respect to powers who recognize this principle; but if either of the contracting parties shall be at war with a third party, and the flag of the neutral, the flag of the neutral shall cover the property of the allies whose government acknowledges

APPENDIX TO CHRONICLE. 175

this principle, and not of

13. Both contracting par-
lishing to favour their mu-
commerce by affording in
orts every necessary as-
e to their respective mer-
vessels, have agreed, that
ors who shall desert from
sels in the ports of the
shall be arrested and deli-
up at the instance of the
; who shall prove, never-
that the deserters be-
to the vessels that claimed
exhibiting the document
customary in their nation;
to say, the American con-
a Spanish port, shall ex-
e document known by the
of *Articles*; and the Spa-
nsul in American ports the
he vessel; and if the name
leserter or deserters who
imed shall appear in the
the other, they shall be
d, held in custody, and de-
to the vessel to which
all belong.

14. The United States
certify, that they have
ceived any compensation
rance for the injuries they
l from her privateers, con-
d tribunals, on the coasts
the ports of Spain; for the
tion of which, provision is
y this treaty; and they
esent an authentic state-
of the prizes made and of
ue value, that Spain may
herself of the same in such
as she may deem just and

15. The United States,
e his Catholic majesty a
of their desire to cement

the relations of amity subsisting
between the two nations, and to
favour the subjects of his Catholic
majesty, agree that Spanish ves-
sels, coming laden only with the
productions of Spanish growth
or manufactures, directly from
the ports of Spain, or of her co-
lonies, shall be admitted for the
term of twelve years to the ports
of Pensacola and St. Augustine,
in the Floridas, without paying
other or higher duties on their
cargoes, or of tonnage, than
will be paid by the vessels of
the United States. During the
said term no other nation shall
enjoy the same privileges within
the ceded territories. The twelve
years shall commence three
months after the exchange of the
ratifications of the treaty.

Art. 16. The present treaty
shall be ratified in due form by
the contracting parties, and the
ratifications shall be exchanged
in six months from this time, or
sooner if possible.

In witness whereof we, the un-
derwritten plenipotentiaries of the
United States of America and of
his Catholic majesty, have signed,
by virtue of our powers, the pre-
sent treaty of amity, settlement
and limits, and have thereunto
affixed our seals respectively.

Done at Washington, this 22nd
day of February, 1819.

(Seal) JOHN QUINCY ADAMS.
(Seal) LUIS DE ONIS.

*Message of the President of the
United States.*

Washington, Dec. 7.—This day
at 12 o'clock, the President of
the United States transmitted to
both Houses of Congress, by Mr.
J. J.

J. J. Monroe, the following message :—

Fellow Citizens of the Senate
and of the House of Representatives,

The public buildings being advanced to a stage to afford accommodation for Congress, I offer you my sincere congratulations on the recommencement of your duties in the capitol.

In bringing to view the incidents most deserving attention which have occurred since your last session, I regret to have to state that several of our principal cities have suffered by sickness; that an unusual drought has prevailed in the middle and western states; and that a derangement has been felt in some of our moaned institutions, which has proportionably affected their credit. I am happy, however, to have it in my power to assure you, that the health of our cities is now completely restored; that the produce of the year, though less abundant than usual, will not only be amply sufficient for home consumption, but afford a large surplus for the supply of the wants of other nations; and that the derangement in the circulating paper medium, by being left to those remedies which its obvious causes suggested, and the good sense and virtue of our fellow-citizens supplied, has diminished.

Having informed Congress, on the 27th February last, that a treaty of amity, settlement and limits, had been concluded in this city between the United States and Spain, and ratified by the competent authorities of

the former, full confidence entertained that it would be ratified by his Catholic Majesty, with equal promptness and a like earnest desire to terminate, on the conditions of the treaty, the differences which so long existed between the two countries. Every view which the subject admitted of was then to have justified this conclusion. Great losses had been sustained by citizens of the United States from Spanish cruizers, more than 20 years before, which had been redressed.

These losses had been acknowledged and provided for by treaty as far back as the year 1802, which, although concluded at Madrid, was not then ratified by the government of Spain, since, until the last year, war was suspended by the late treaty, a more satisfactory provision being made for both parties, as was previously having been made for the other. Other differences had arisen during this long interval, affecting the highest interests, which were likewise provided for by the treaty. The treaty itself was formed on great consideration and a thorough knowledge of the circumstances, the subject of every article having been years under discussion, and repeated references having been made by the Minister of Spain to his Government, on the subject respecting which the great difference of opinion prevailed. It was formed by a Minister authorized for the purpose, who had represented his Government in the United States and employed in this long protracted negotiation several years.

APPENDIX TO CHRONICLE. 177

it is not denied, kept strictly the letter of his instructions.

The faith of Spain was more pledged, under circumstances of peculiar force and utility, for its ratification. On the part of the United States, this was evidently acceded to in a spirit of conciliation and compromise. The indemnity for expenses and losses so long before demanded and now again acknowledged and provided for, was to be paid by them without bearing a charge on the treasury. For territory ceded by Spain for other territory, of great value to which our claim was found to be well-founded, was acknowledged by the United States, and rendered more interesting to them. This cession was nevertheless received as the means of relieving our citizens in a considerable sum, the presumed value of their losses. Other considerations of great weight in the cession of this territory. It was surrounded by territories of the United States on every side, except on the west the ocean. Spain had no authority over it; and it fell into the hands of adventurous men connected with the savages, who made the means of unceasing annoyance and injury to our citizens in many of its most essential interests. By this cession, Spain ceded a territory in which of no value to her, and demanded concessions of the highest importance, by the settlement of long-standing differences with the United States, affecting their territorial claims and limits; and she relieved herself from the obligation of a treaty relating to

it, which she had failed to fulfil; and also from the responsibility incident to the most flagrant and pernicious abuses of her rights where she could not support her authority.

It being known that the treaty was formed under these circumstances, not a doubt was entertained that his Catholic Majesty would have ratified it without delay. I regret to have to state, that this reasonable expectation has been disappointed; that the treaty was not ratified within the time stipulated, and has not since been ratified. As it is important that the nature and character of this unexpected occurrence should be distinctly understood, I think it my duty to communicate to you all the facts and circumstances in my possession relating to it.

Anxious to prevent all future disagreement with Spain, by giving the most prompt effect to the treaty which had been thus concluded, and particularly by the establishment of a government in Florida which should preserve order there, the minister of the United States, who had been recently appointed to his Catholic Majesty, and to whom the ratification by his Government had been committed to be exchanged for that of Spain, was instructed to transmit the latter to the department of state as soon as obtained, by a public ship subjected to his order for the purpose. Unexpected delay occurring in the ratification by Spain, he requested to be informed of the cause. It was stated in reply, that the great importance of the subject, and a desire to obtain

explanations on certain points which were not specified, had produced the delay, and that an envoy would be dispatched to the United States to obtain such explanations of this Government. The Minister of the United States offered to give full explanation on any point on which it might be desired, which proposal was declined. Having communicated this result to the department of state in August last, he was instructed, notwithstanding the disappointment and surprise which it produced, to inform the government of Spain, that if the treaty should be ratified and transmitted here at any time before the meeting of Congress, it would be received, and have the same effect as if it had been ratified in due time. This order was executed: the authorized communication was made to the government of Spain; and by its answer, which has just been received, we are officially made acquainted, for the first time, with the causes which have prevented the ratification of the treaty by his Catholic Majesty. It is alleged by the minister of Spain, that this government had attempted to alter one of the principal articles of the treaty, by a declaration which the minister of the United States had been ordered to present when he should deliver the ratification by his government in exchange for that of Spain; and of which he gave notice, explanatory of the sense in which that article was understood. It is further alleged, that this government had recently tolerated or protected an expedition from the

United States against the province of Texas. Theseputed acts are stated as reasons which have induced his Catholic Majesty to withhold ratification from the treaty. To obtain explanations respecting which it is repeated that an Envoy would be forthwith dispatched to the United States. How far these allegations justify the conduct of the government of Spain, will appear on a view of the following facts and the evidence which supports them.

It will be seen by the documents transmitted herewith that the declaration mentioned in the treaty refers to a clause in the 8th article concerning certain grants recently made by his Catholic Majesty in Florida, which the United States understood had conveyed lands which till then had been ungranted. It was the intention of the parties to annul the grants, and that clause was inserted for that express purpose, and for no other. The date of the grants was unknown, but it was understood to be posterior to that inserted in the article. If that deed, it must be obvious that if that provision inserted had not the effect of annulling these grants, it would be altogether nugatory. Immediately after the treaty was concluded and ratified by this government, an intimation was received that these grants were of a date to that fixed on in the treaty, and that they would, of course, be affected by the mere possibility of such grants, so inconsistent with the intention of the parties and the

APPENDIX TO CHRONICLE. 179

of the article, induced this government to demand an explanation on the subject, which was immediately granted, and which corresponds with this statement. With respect to the other act alleged, that this government had tolerated or protected an expedition against Texas, it is utterly without foundation. Every discountenance has invariably been given to every such attempt within the limits of the United States, as is fully evinced by the acts of the government and the proceedings of the courts. There being cause, however, to apprehend, in the course of the last summer, that some adventurers entertained views of the kind suggested, the attention of the constituted authorities in that quarter was immediately drawn to them; and it is known, that the project, whatever it might be, has utterly failed.

These facts will, it is presumed, satisfy every impartial mind that the government of Spain had no justifiable cause for declining to ratify the treaty. A treaty concluded in conformity with instructions is obligatory, in good faith, in all its stipulations, according to the true intent and meaning of the parties. Each party is bound to ratify it. If either could set it aside without the consent of the other there would be no longer any rules applicable to such transactions between nations. By this proceeding, the government of Spain has rendered to the United States a new and very serious injury. It has been stated that a minister would be sent to ask certain explanations of this government. But,

if such were desired, why were they not asked within the time limited for the ratification? Is it contemplated to open a new negotiation respecting any of the articles or conditions of the treaty? If that were done, to what consequences might it not lead? At what time, and in what manner, would a new negotiation terminate? By this proceeding, Spain has formed a relation between the two countries which will justify any measures on the part of the United States, which a strong sense of injury and a proper regard for the rights and interests of the nation, may dictate. In the course to be pursued, these objects should be constantly held in view and have their due weight. Our national honour must be maintained, and a new and a distinguished proof afforded, of the regard for justice and moderation which has invariably governed the councils of this free people. It must be obvious to all, that if the United States had been desirous of making conquests, or had been even willing to aggrandize themselves in that way, they could have had no inducement to form this treaty. They would have much cause for gratulation at the course which has been pursued by Spain. An ample field for ambition is open before them. But such a career is not consistent with the principles of their government, nor the interests of the nation.

From a full view of all circumstances, it is submitted to the consideration of congress whether it will not be proper for the United States to carry the conditions of

the treaty into effect, in the same manner as if it had been ratified by Spain, claiming on their part all its advantages, and yielding to Spain those secured to her. By pursuing this course, we shall rest on the sacred ground of right, sanctioned in the most solemn manner by Spain herself,—by a treaty which she was bound to ratify: for refusing to do which she must incur the censure of other nations, even those most friendly to her; while, by confining ourselves within that limit, we cannot fail to obtain their well-merited approbation. We must have peace on a frontier where we have been so long disturbed; our citizens must be indemnified for losses so long since sustained and for which indemnity has been so unjustly withheld from them. Accomplishing these great objects, we obtain all that is desirable.

But his Catholic Majesty has twice declared his determination to send a minister to the United States, to ask explanations on certain points and to give them respecting his delay to ratify the treaty. Shall we act, by taking the ceded territory and proceeding to execute the other conditions of the treaty, before this minister arrives and is heard? This is a case which forms a strong appeal to the candour, the magnanimity and honour of this people. Much is due to courtesy between nations. By a short delay we shall lose nothing; for, resting on the ground of immutable truth and justice, we cannot be diverted from our purpose. It ought to be presumed, that the explanations

which may be given to the minister of Spain will be satisfactory, and produce the desired result. In any event the delay for the purpose mentioned, being a further manifestation of the sincere desire to terminate in the most friendly manner all differences with Spain, cannot fail to be duly appreciated by his Catholic majesty, as well as by other powers. It is submitted, therefore, whether it will not be proper to make the law proposed for carrying the conditions of the treaty into effect, should it be adopted, contingent; to suspend its operation, upon the responsibility of the executive, in such manner as to afford an opportunity for such friendly explanations as may be desired, during the present session of Congress.

I communicate to Congress a copy of the treaty and of the instructions to the minister of the United States at Madrid respecting it; of his correspondence with the minister of Spain, and of such other documents as may be necessary to give a full view of the subject.

In the course which the Spanish government have on this occasion thought proper to pursue, it is satisfactory to know that they have not been countenanced by any other European power. On the contrary, the opinion and wishes both of France and Great Britain have not been withheld either from the United States or from Spain, and have been unequivocal in favour of the ratification. There is also reason to believe, that the sentiments of the Imperial Government of Russia have been the same, and that

APPENDIX TO CHRONICLE. 181

ey have also been made to the Cabinet of Madrid. The civil war existing between Spain and the Spanish in this hemisphere, the care has been taken to the laws intended to pre-an impartial neutrality. Its have continued to be open to both parties, and same conditions; and our have been equally re- from interfering in of either to the prejudice other. The progress of, however, has operated ly in favour of the colo-buenos-Ayres still main-shaken the independence t declared in 1816, and oyed since 1810. Like has also lately attended d the provinces north of Plata bordering on it; wise Venezuela. contest has, from its com-ent, been very interesting r powers, and to none than to the United States. ous people may and will themselves within the f a strict neutrality; but in their power to behold t so vitally important to eighbours, without the ty and sympathy which y belong to such a case. been the steady purpose government to prevent ling leading to excess; y very gratifying to have power to state, that so has been the sense, out the whole commu- f what was due to the er and obligations of the that few examples of a / kind have occurred.

The distance of the colonies from the parent country, and the great extent of their population and resources, gave them advantages which, it was anticipated at a very early period, it would be difficult for Spain to surmount. The steadiness, consistency and success, with which they have pursued their object, as evinced more particularly by the undisturbed sovereignty which Buenos-Ayres has so long enjoyed, evidently give them a strong claim to the favourable consideration of other nations. These sentiments on the part of the United States have not been withheld from other powers, with whom it is desirable to act in concert. Should it become manifest to the world, that the efforts of Spain to subdue those provinces will be fruitless, it may be presumed that the Spanish government itself will give up the contest. In producing such a determination, it cannot be doubted that the opinion of friendly powers, who have taken no part in the controversy, will have their merited influence.

It is of the highest importance to our national character, and indispensable to the morality of our citizens, that all violations of our neutrality should be prevented. No door should be left open for the evasion of our laws; no opportunity afforded to any who may be disposed to take advantage of it, to compromise the interest or honour of the nation. It is submitted, therefore, to the consideration of Congress, whether it may not be advisable to revise the laws, with a view to this desirable result.

It

It is submitted, also, whether it may not be advisable to designate, by law, the several ports or places along the coast at which, only, foreign ships of war and privateers may be admitted. The difficulty of sustaining the regulations of our commerce, and of other important interests, from abuse, without such designation, furnishes a strong motive for this measure.

At the time of the negociation for the renewal of the commercial convention between the United States and Great Britain, a hope had been entertained that an article might have been agreed upon, mutually satisfactory to both countries, regulating, upon principles of justice and reciprocity, the commercial intercourse between the United States and the British possessions, as well in the West Indies as upon the continent of North America. The plenipotentiaries of the two governments, not having been able to come to an agreement on this important interest, those of the United States reserved for the consideration of this government the proposals which had been presented to them as the ultimate offer on the part of the British government, and which they were not authorized to accept. On their transmission here, they were examined with due deliberation, the result of which was, a new effort to meet the views of the British government. The minister of the United States was instructed to make a further proposal, which has not been accepted. It was, however, declined in an amicable manner. I recommend to the consideration of Congress whe-

ther further prohibitory provisions in the laws relating to this intercourse may not be expedient. It is seen with interest, that although it has not been practicable, as yet, to agree in any arrangement of this important branch of their commerce, such is the disposition of the parties that each will view any regulations which the other may make respecting it in the most friendly light.

By the 5th article of the convention concluded on the 20th of October, 1818, it was stipulated that the differences which had arisen between the two governments with regard to the true intent and meaning of the 5th article of the treaty of Ghent, in relation to the carrying away by British officers of slaves from the United States, after the exchange of the ratifications of the treaty of peace, should be referred to the decision of some friendly sovereign or state, to be named for that purpose. The minister of the United States has been instructed to name to the British government a foreign sovereign, the common friend to both parties, for the decision of this question. The answer of that government to the proposal, when received, will indicate the further measures to be pursued on the part of the United States.

Although the pecuniary embarrassments which affected various parts of the Union during the latter part of the preceding year, have, during the present, been considerably augmented, and still continue to exist, the receipts into the treasury to the 30th of September last, have amounted

APPENDIX TO CHRONICLE. 183

ed to 19,000,000 dollars. lefraying the current ex- of the government, in- the interest and reim- ent of the public debt, to that period, amounting 00,000 dollars, there re- in the treasury on that re than 2,500,000 dollars, with the sums receivable the remainder of the year, eed the current demands re treasury for the same

causes which have tended nish the public receipts, ot fail to have a corres- ; effect upon the revenue as accrued upon imposts mage during the three erters of the present year. owever, ascertained, that ies which have been se- uring that period exceed 000 dollars, and those of ole year will probably to 25,000,000 dollars.

the probable receipts of t year, I refer you to the nts which will be trans- from the treasury, which ble you to judge whether provision be necessary.

reat reduction in the price rincipal articles of domes- wth which has occurred the present year, and the ent fall in the price of apparently so favourable uccess of domestic manu- , have not shielded them other causes adverse to osperity. The pecuniary ssments which have so affected the commercial s of the nation, have been adverse to our manufac-

turing establishments, in several sections of the Union.

The great reduction of the cur- rency which the banks have been constrained to make, in order to continue specie payments, and the vitiated character of it where such reductions have not been attempted, instead of placing within the reach of these esta- blishments the pecuniary aid ne- cessary to avail themselves of the advantages resulting from the reduction of the prices of the raw materials and of labour, have compelled the banks to withdraw from them a portion of the capital heretofore advanced to them. That aid which has been refused by the banks has not been ob- tained from other sources, owing to the loss of individual confi- dence, from the failures which have recently occurred in some of our principal commercial cities.

An additional cause of the de- pression of these establishments may probably be found in the pe- cuniary embarrassments which have recently affected those coun- tries with which our commerce has been principally prosecuted.

Their manufactures, for the want of a ready or profitable market at home, have been ship- ped by the manufacturers to the United States, and, in many in- stances, sold at a price below their current value at the place of manufacture. Although this prac- tice may, from its nature, be con- sidered temporary or contingent, it is not on that account less in- jurious in its effects. Uniformity in the demand and price of an article is highly desirable to the domestic manufacturer.

It is deemed of great importance to give encouragement to our domestic manufacturers. In what manner the evils adverted to may be remedied, and how far it may be practicable, in other respects, to afford to them further encouragement, paying due regard to all the other great interests of the nation, is submitted to the wisdom of Congress.

The survey of the coast for the establishment of fortifications is now nearly completed; and considerable progress has been made in the collection of materials for the construction of fortifications in the Gulf of Mexico and in the Chesapeake-bay. The works on the eastern bank of the Potomac, below Alexandria, and on the Peapatch in the Delaware, are much advanced; and it is expected that the fortification at the Narrows, in the harbour of New York, will be completed the present year. To derive all the advantages contemplated from these fortifications, it was necessary that they should be judiciously posted, and constructed with a view to permanence. The progress hitherto has, therefore, been slow; but as the difficulties, in parts heretofore the least explored and known, are surmounted, it will in future be more rapid. As soon as the survey of the coast is completed, which it is expected will be done early in the next spring, the engineers employed in it will proceed to examine for like purposes the northern and north-western frontiers.

The troops intended to occupy a station at the mouth of

the St. Peters, on the Mississippi, have established themselves and those which were ordered to the mouth of the Yellow River on the Missouri, have asked that river to the Council Bluffs, where they will remain until spring, when they will proceed to the place of their destination. It is expected that they will have the satisfaction to state that this measure has been executed in amity with the Indians, and that it promises to produce in regard to them, all the advantages which were contemplated by it.

Much progress has been made in the construction of ships of war, and in the collection of timber and other materials for ship-building. It is not doubted that our navy will be augmented to the number of 100 ships, and will be placed in all respects on a footing, provided for by law.

The board consisting of engineers and naval officers, have not yet made their final reports for two naval depots to be constructed according to the provisions of March 18 and April 1818, but they have examined the coast therein designated, and their report is expected next month.

For the protection of commerce in the Mediterranean, along the southern coast, in the Pacific and Indian oceans, it has been found necessary to maintain a strong force, which it seems proper to the present to continue. It is much reason to believe that any portion of the squadron hitherto stationed in the Mediterranean should be withdrawn into

APPENDIX TO CHRONICLE. 185

with the powers bor-
hat sea would be much
, if not altogether de-
Such, too, has been
of a spirit of piracy
r quarters mentioned,
rers from every coun-
se of the friendly flags
7 have assumed, that
otect our commerce
ld be to abandon it as
their rapacity. Due
as likewise been paid
pression of the slave
ompliance with a law
session.
ave been given to the
rs of all our public
eize all vessels, navi-
r our flag, engaged in

that trade, and to bring them in,
to be proceeded against in the
manner prescribed by that law.
It is hoped that these vigorous
measures, supported by like acts
by other nations, will soon termi-
nate a commerce so disgraceful
to the civilized world.

In the execution of the duty
imposed by these acts, and of a
high trust connected with it, it is
with deep regret I have to state
the loss which has been sustained
by the death of commodore
Perry. His gallantry in a bril-
liant exploit in the late war added
to the renown of his country.
His death is deplored as a na-
tional misfortune.

JAMES MONROE.

Annual Treasury Report of the United States.

Treasury Department, Dec. 10, 1819.

ave the honour to transmit herewith a report, prepared in
to the act, entitled "An Act to establish the Treasury
it." I have the honour to be, very respectfully, Sir, your
ient servant,

W. H. CRAWFORD.

Ion. the President of the Senate.

ence to the directions of the "Act supplementary to the
ablish the Treasury Department," the Secretary of the
respectfully submits the following report :

1st. *Of the Revenue.*

t revenue arising from duties upon imports and tonnage,
ities, direct tax, public lands, postage, and other incidental
ring the year 1815, amounted to 49,555,642 doll. 76 c. viz. :
, (see statement A)36,306,022 51
duties 5,963,225 88
ax 5,723,152 25
ands 1,287,959 28
, and other incidental receipts..... 275,282 81

ich accrued from the same sources during the year 1816,
to 36,657,904 doll. 72 c. viz. :

Customs

186 ANNUAL REGISTER, 1819.

Customs, (see statement A)	27,484,100 36
Internal duties	4,396,133 25
Direct tax	2,785,343 20
Public lands	1,754,487 38
Postage, and other incidental receipts	237,840 53

That which accrued from the same sources during 1817, amounted to 24,365,227 doll. 24 c. viz.:

Customs, (see statement A)	17,524,775 15
Internal duties	2,676,882 77
Direct tax	1,833,737 01
Public lands, (exclusive of Mississippi stock)	2,015,977
Postage, and other incidental receipts.....	313,856 48

REMARKABLE

MARKABLE TRIALS AND LAW CASES.

NG'S-BENCH, JAN. 5.

g v. Campbell.—This was
ion for goods delivered.
o promise to pay.

Gurney stated, that this
was instituted to recover
of 9*l.* 11*s.* of the defen-
who is a Director of the
dia Company. It would,
surprise them to find,
had been thought requisite
in the aid of a special jury
le upon such a question,
n his opinion might have
qually well settled by a
n jury: it would, perhaps,
them still more to learn,
was for an account of tal-
ndles, had and delivered,
d, and burnt by this East
irector. The defence on
the defendant rested his
of success was this—"I
y butler, Smith, who has
t me, money wherewith to
s account; he, according
r statement, has not paid
t even allowing that posi-
be good, as I have paid it
I am not liable to pay it
He hoped, however, that
dict of a special jury, to
he had chosen to resort,
convince him to the con-
and would teach him that

in such cases a master was re-
sponsible for the actions of his ser-
vants.

It was contended on the part
of the defendant, and witnesses
were called to establish the fact,
that the defendant had repeatedly
given express orders to Smith,
who paid all his disbursements
for the house, on no account
whatsoever to incur any bills, but
to pay for every thing in ready
money. It was also shown that
all the dealings which Mr. Camp-
bell had previously had with the
defendant were for ready money,
and ready money alone; and,
therefore, that as he had never ap-
plied for credit himself, the plain-
tiff could not recover of him for
credit afforded without his con-
sent to his servant. It was also
proved in evidence, that after this
bill of 9*l.* 11*s.* was said to be con-
tracted, the defendant had paid
14*l.* to the plaintiff for goods
which he had purchased; and that
the plaintiff had at that time made
no such a claim as that which
was at present before the Court.
On all these grounds it was con-
tended that a verdict should be
given to the defendant.

The Lord Chief Justice in
summing up the evidence said,
that the sum for which this ac-
tion

tion was brought was only trifling; the question to be decided by it was of the greatest importance: it was in reality, whether a gentleman was to be rendered liable for all the debts which his servant might take it into his head to incur on his behalf. Now, the law upon the point was clear and satisfactory, and expressly stated, that if any individual send his servant for goods to a tradesman, desiring credit to be given generally to that servant, he must continue to pay for the goods which that servant may purchase, until he, the master, give notice to the tradesman that such credit be discontinued; but if the master shall never have desired credit to be given to the servant, and the tradesman shall confide goods to the servant on the credit of the master, the risk so incurred must fall upon the tradesman, and not upon the master, who has no knowledge of the credit given. It was, therefore, their duty in this case to consider whether Mr. Campbell had ever, at any time, authorized Mr. Dring to give credit to his servant or not; if he had given any such authority, they must find for the plaintiff; if he had not, their verdict must be for the defendant.

The jury, not agreeing in their verdict, retired, and after a deliberation of four hours, returned a verdict for the defendant.

JANUARY 9.

Oakes v. Wiggins.—The plaintiff in this case is a gentleman of property, who, in consequence

of a report of the defendant is a land-surveyor, had been induced to advance a large sum of money in purchase of an annuity on the security of a certain estate. The estate turned out to be of much less value than reported by the defendant, and the plaintiff now sought to recover of him a compensation in damages for the loss he had thereby sustained.

Mr. Scarlett and Mr. Gifford appeared for the plaintiff; and Mr. Serjeant Pell, and Mr. Marryat for the defendant.

Mr. Scarlett, in his opening speech, detailed the circumstances of the case. The plaintiff had been applied to by a Mrs. H. to purchase an annuity of £100 per annum, and she stated that she had offered as a security, an estate situated near Market-Deeping, in Lincolnshire, called Deeping. This estate was described in a lease let to Richard Jones, esq. for a term of years, the lease to expire in 1820, and the yearly rent of 1,720*l.* In consequence the plaintiff applied to a solicitor to make the necessary inquiries, and the solicitor employed the defendant to make a survey of the estate. His report, after having surveyed it, was that he considered it very favorably circumstanced, and well calculated to pay the rent at which it was then let—viz. 1,720*l.* Soon after this report, however, Jones, the tenant, was unable to go on: he quitted the estate; but the stock upon the estate was insufficient to pay the arrears of rent. The place afterwards remained for a long time untenanted; and when at last a tenant was found, no more than

year, or 19s. an acre, could be obtained for it, instead of the 750l. Mr. Scarlett concluded by observing, that it was a too common practice with persons having estates to sell, to put in a tenant at an enormous rent, under which the sale is made at a proportionally high price, and the purchaser thus becomes a great sufferer. He must say, that the conduct of the defendant in this case was at least extremely negligent, if it did not deserve a more gross construction.

Mr. Gurney called a multitude of witnesses in support of the statement.

The solicitor to the plaintiff deposed, that he employed Mr. Wiggins, the defendant, to make a survey of the estate; and in consequence of his favourable report, the plaintiff advanced the sum of 14,975l.; 4,000l. of which was applied to pay off the previous mortgage on the estate in question, and the remainder was paid over to Mrs. Bourne for an annuity of 1,350l. upon three lives. This was in the early part of 1814; and in the following year Jones the tenant failed.

Mr. John Mossop, the present tenant, deposed, that at the time of the transaction in 1814, the land was not worth more than 12s. an acre, and its utmost value at the present moment was 17s. per acre.

Mr. Morgan the actuary stated, that the annuity granted to Mr. Oakes was worth 22,853l.

Mr. Sergeant Pell for the defendant submitted, that the plaintiff's loss had not arisen from the negligence of his client, but from the want of caution on the part

of the plaintiff himself and his solicitor, who ought, before they advanced so large a sum as 15,000l. on the security of 560 acres of fen-land, already burthened with a mortgage to the amount of 7,000l. to have made more minute inquiries than they had done.

George Mill stated, that he had occupied the farm in question from 1810 to 1813, at the annual rent of 1,300l. Land in Deeping Fen during that time fetched generally at the rate of from two guineas to 56s. per acre.

Mr. de Brune stated, that in 1811 he was desired by Mrs. Bourne to look out for a tenant for her Deeping Fen estate. He accordingly did so, and found a gentleman who commissioned him to offer 23,000l., which sum Mrs. Bourne refused to take. Mr. Yateman, on one occasion, when speaking of Jones, represented him as a very intelligent clever man. In the latter end of 1813 and beginning of 1814 there was a great fall in the value of land.

Mr. Settree, the solicitor, stated that in 1814 he was instructed to prepare a lease of the farm in question, between Mrs. Bourne and Mr. Jones; and at the time he believed it to be a genuine *bonâ fide* transaction.

Mr. Topham, a farmer occupying 220 acres in the Deeping Fens, stated that his farm was within half a mile of the estate in question; and during 20 years occupation of it, he paid for the first 11 years 22s. an acre, but for the subsequent term 30s. an acre.

Richard Jones, the tenant in possession at the period in question,

tion, stated that he took the estate of Messrs. Bourne in the spring of 1812. Remembered the defendant's coming to the farm in the latter end of April, 1814, to make his survey. He arrived between 10 and 11 in the morning, and went away again about the same hour next morning. Since then had not seen defendant until July last, when he was subpoenaed as a witness on this trial. During that interval he never had any communication with the defendant whatever. When defendant came to survey the estate, he employed himself in looking over the lands and making his calculations from the moment of his arrival until a late hour in the evening, with the exception of meal time. Defendant spoke only generally of the drainage. The height of the lands was 15 feet above the sea.—Cross-examined: witness gave the defendant all the information in his power respecting the estate, and the calculation of its value. He never received a shilling of the money paid by the plaintiff: but he admitted that Mrs. Bourne had lent him 10,000*l.*, which was part of the very money in question. In a month afterwards he repaid her 3,363*l.* 15*s.* 6*d.*, and with the remainder he embarked in mercantile concerns on his own account, in the Mediterranean, where he remained for 12 months. He had since remitted two cargoes to Mrs. Bourne, which he considered would cover his debt. Notwithstanding which, this lady had lately taken the benefit of the Insolvent Act. When he left the farm upon his mercantile adventures, he left Topham, one of the

other witnesses, to manage and gave him 190*l.* for that pose.

Re-examined.—He had no least reason on earth to believe that the defendant was acquainted with the transactions between himself and Mrs. Bourne.

Mr. Scarlett in reply, admitted that the defendant was wrong, free, upon the evidence, of any imputation of fraud or corrupt conduct; but in point of law, he contended that he was liable to the plaintiff for the loss the latter sustained by this action, to the amount of 9,000*l.* in consequence of his (the defendant's) negligence and inattention to the interests of his employer.

The Chief Justice, in summing up the case to the Jury, thought that the solicitor, upon whose observations had been made according to the evidence, fairly and honourably towards his client, who could seek redress against the person who allowed him into the error by which he had so grievously suffered. He concurred in the admission that had been made of the defendant's innocence of any corrupt or fraudulent intention; in point of law, his lordship thought him liable for his negligence and inattention to such an amount, under the circumstances of the case, to warrant the jury in finding

The jury found for the plaintiff damages 6,000*l.*

MIDDLESEX SESSIONS, S.
DAY, JAN. 16.

At the close of these sessions Nicholas Nicholson, Fra

Collo and Michael Hare, were placed at the bar, having been committed from Hatton-garden as convicted rogues and vagabonds, for the purpose of receiving such further imprisonment as the Court should deem it proper to inflict. Mr. Blundell, who represented the Society for the Suppression of Mendicity on this occasion, called the attention of the Chairman particularly to the case of Nicholson. He stated, that this man had manifested a determination to continue the trade of begging at every hazard, and trusted, when the Court should hear the circumstances, they would award an exemplary punishment. It appeared, that on two several occasions the prisoner had been afforded an opportunity to return to Sweden, his native country; and in the first instance, through the medium of the consul, the passage had been actually paid; notwithstanding which, having found the trade of begging so lucrative, he escaped from the ship and returned to his former practices; and since then had been convicted no less than six times, and as frequently refused to be conveyed home. His foreign accent and artful demeanour had successfully operated on most of the persons whom he accosted, and especially females, who were glad to give him money to be rid of his importunity.

The evidence having been taken, the Court ordered a further imprisonment of three months. Francisco Collo was ordered to be imprisoned one month, and Michael Hare two months, in the House of Correction.

In the case of Hare, Mr. Blun-

dell stated, that upon a solemn promise of the prisoner to proceed forthwith on his way to his parish, a sum of money had been furnished to bear his expenses on the road; but in about an hour after, he was found begging from door to door in a very different direction, and relating a very lamentable tale to excite the commiseration of the public, by which he had succeeded in a very few minutes to collect more money than an honest distressed man with a large family usually obtains from his parish as a weekly allowance; and he trusted, if the magistrates would second the exertions of the society, the public would soon be convinced of the impropriety of indiscriminate almsgiving.

JANUARY 21.

Berthon and Costar v Loughnan and another.—This was an action on a policy of insurance effected by Messrs. Berthon and Costar, on the ship *Madre de Dios*, on the 31st of January 1812, at and from Pernambuco to St. Michael, in consequence of a letter from Senor Antonio de Vasconcellos, dated December 12, 1811. The interest was averred to be in Vasconcellos. The vessel was lost on a shoal not far from Pernambuco on September 5, 1811. The defendant pleaded that he was not liable, on which point issue was joined.

Mr. Scarlett, for the plaintiffs, stated, that in order to the proper understanding of this case, it would be requisite that he should make a few preliminary observations

tions on the intercourse which passed between Pernambuco and St. Michael. The latter island was celebrated for its fruit, and vessels from every nation frequented it from the month of October to the end of January, so that communication with it was not difficult during that time; but if you had any correspondent there, it was almost impossible to hear from him during the remaining period of the year. If the difficulty of communication was so great between Great Britain and St. Michael, it was clear that it would be still greater between Pernambuco and the same place, inasmuch as the trade between them would be much less considerable than that carried on between Great Britain and St. Michael. Besides, if the communication was not made direct between Pernambuco and St. Michael, it was much retarded by having to make a circuit by way of Lisbon, from whence to St. Michael no regular post or packet has ever been established. This information might render the facts of the case which he had to open to them more clear and intelligible. They were simply these: Senor Antonio de Vasconcellos and Senor Nicolayo de Marcio, during the year 1811, sent a vessel laden with fruit from St. Michael to Pernambuco, from which place she was to return as soon as possible. Senor Nicolayo de Marcio effected an assurance on his share of the vessel and cargo in August 1811, out and home from St. Michael to Pernambuco. In December of the same year Vasconcellos determined to do the same on the

homeward voyage from Pernambuco on his share, and in consequence wrote the plaintiffs on the 12th of that month to insure 2,000*l.* on the hull and 1,500*l.* the cargo, on his account. A letter arrived in London in January 1812; and the policy effected at the close of that month by a gentleman at present in Brazil on his own private business. In April 1812, intelligence was received in London that the *Madre de Dios* had sailed from Pernambuco on the 3rd of September, and had been lost several days afterwards. The underwriters immediately exclaimed, "Mr. Vasconcellos must have known that his vessel was wrecked at the time when he insured, therefore we will resist the payment of the insurance." But this was not the case, as it might be proved that no communication had taken place in the interim between Pernambuco and St. Michael. "Allowing that to be true," continue the underwriters, "still Mr. Vasconcellos must have known that his vessel was out of time, and therefore he ought to have communicated this circumstance to us." But this objection was equally untenable with the former, because it would show from the deposition taken on the spot, that the vessel from St. Michael to Pernambuco is not, upon an average, perished in less than 70 or 80 days; that it is usual for vessels to return at the latter place from the former in five months to obtain a cargo; and that it is not customary for the former to look upon a vessel as missing, because she does not finish her return voyage before



APPENDIX TO CHRONICLE. 193

piration of eight months. He presented two questions for their consideration. 1. Did Vasconcellos suppose the *Madre de Dios* to be a missing ship at the time he wrote to Messrs. Berthou and Costar, desiring them to effect the assurance? and 2. If he did, did he make a proper communication of that circumstance to the persons who underwrote the vessel? He was confident that he should adduce such evidence as would lead them to the answer to both questions in his favour.

On the first point he had already spoken; and as to the second, he would observe, that Messrs. Berthou and Costar had communicated all the intelligence they had regarding the vessel to the underwriters, by communicating to them the letter which they had received from Vasconcellos, and which simply stated, that as he had just returned from his friend Nicolayo de Dios's share in the *Madre de Dios* was ensured, he requested them to ensure his share in it also. The vessel was at Pernambuco on her return to the island of St. Mi-

It was also proved, that Nicolayo de Marcio had effected his insurance in August 1811.

Mr. Marryat, for defendant, submitted, that the question which the jury had to decide was, whether a proper communication regarding the fate of the vessel had been made to the underwriters. He maintained that there had not been any such communication. First of all, the vessel was not at Pernambuco at the time of effecting the insurance, as stated in the plaintiff's letter; then, there was no statement when she had arrived there, how long she had been there, or at what time she intended to set sail from thence on her return. Six months, he had been given to understand, was more than the average time of making the voyage between St. Michael and Pernambuco; indeed, that period was sufficient to make the same voyage from the Thames to Pernambuco and back again, which was a much greater distance. A hundred and ninety-five days had elapsed before Mr. Vasconcellos thought of making this assurance; and then, forsooth, it was not because he thought the vessel missing, but because he had just heard that his friend Nicolayo had ensured his share. What rendered this circumstance more suspicious, was, that he was in the habit of seeing Nicolayo daily; and that he knew that a shipment was ready for him at Pernambuco; so that he must have expected the vessel to have returned, if all had been safe, before the time on which he wrote to have the policy effected. On these grounds he maintained

Scarlett then put in several propositions taken at St. Michael, tending to prove that the *Madre de Dios* was not at Pernambuco at the time when Vasconcellos wrote the letter of December; that the captain of the vessel had never written more than one letter to his owners during the time of his return, from Pernambuco; and that six months was not more than a usual period for completing a voyage out and back again.

L. LXI.

maintained that the defendant was entitled to a verdict.

The Lord Chief Justice then summed up the case, and observed to the jury, that the chief point which they had to try was, whether the representation in the letter was actually true, or such as the writer might suppose to be true, or whether it differed materially from the representation which ought to have been made to the underwriters. The vessel, at the time of effecting the insurance, was stated to be at Pernambuco: it was not necessary that this should be literally true; it would be sufficient if she were there at the time when the owners received their last advices from her captain. Now it appeared from the evidence, that the vessel finished her outward voyage at the end of July, or in the beginning of August, 1811; and that the captain communicated the fact of his arrival to his employers at St. Michael. In all probability his letter would afford intelligence whether he should sail immediately, or wait some time for a fresh cargo. If it did afford such intelligence, it ought to have been communicated to the underwriters. It appeared, in reality, that she was laden in August, and sailed in the beginning of September. It was therefore their business to consider whether Vasconcellos knew of that fact or not; and if they thought he was acquainted with it, to consider whether he had not been induced, by fear of losing the vessel, to effect a policy upon it: if they were of opinion that he had been induced by fear to ensure the vessel, then

he ought to have communicated the cause of his alarm to the underwriters; and therefore must find a verdict for the defendant: if they were of a contrary opinion, then they must find a verdict for the plaintiff.

The jury immediately returned a verdict for the defendant.

SURRY SESSIONS, JAN. 5.

Anne Atkinson and Thomas Stephens were indicted for conspiring to defraud the parish of Bermondsey, by entering their male bastard child in the parish opposite the workhouse of the parish.

Jane Johanna Stapleton was the defendant. She lived at 56, Brunswick-street, Blackfriars-road. The defendant came to take a lodger at her house; said she was the wife of an exciseman. In the evening she came again with a male defendant, and paid each both took possession in about a week, and lived together as man and wife. The woman was advanced in pregnancy. The man said, that when the child was born, they should take it to the mother's, as they were going to America. The child, a boy, was born on the 28th of July. The business was at the birth. Lewis was nurse. The child remained in the house three weeks after which it was taken to St. John's-court to nurse. The mother and mother left the house the same day, and returned in about a week, and sent for the child. They then took the child home with them; they returned

APPENDIX TO CHRONICLE. 195

at ten at night without it. an was in a very agitated state. Witness asked he child was. The woman was very well, and well care of, at his grandmo-

Witness was not satisfied, ntinued her inquiries for days. The female de- told her, that she and the ok the child, and bought a sket and a piece of new wrapped the child up in it into the basket, and that a tied it to the knocker of opposite Bermondsey use, while she watched at of the street.

Lewis said she nursed male prisoner on the 23rd in Brunswick-street, in finement. She nursed the week, after which she left them; afterwards she saw ld at Bermondsey work-

Clarke, in August last, the door, on opening it, heavy. She gave it a pull, and was then knocked knee by something falling it. She screamed, and as opened the door, when peared a basket, contain- child about five or six old. There were child's in the basket. The child ken to the workhouse, as opposite, and delivered Stephens the master, the nt Stephens' father.

ather of the male defend- , he supposed his son was , but never heard at what nor saw the certificate. told him so four years he female prisoner was person to whom he said

he was married. Witness had a young child brought to him in August. He was master of Bermondsey workhouse. He never saw the person who brought the child. The child had been in the house ever since.

Verdict—Guilty. Sentence—six months' imprisonment.

COURT OF KING'S-BENCH,
SATURDAY, FEB. 6.

The King v. the Parish of St. Mary, Canterbury.—This was a question respecting the settle- ment of a pauper, under the fol- lowing novel circumstances:— The pauper, a boy, had been bound apprentice to a master- mariner, resident in St. Mary, Canterbury, and continued with him some months; but circum- stances arising which prevented the master from getting his vessel to sea, the master, at the end of that time, asked his apprentice whether he would like to be turned over to another master, or whether he would go to school for a time and learn navigation. The boy chose the latter, and was accordingly sent to a school in Canterbury by his master, where he continued some time, when he ran away and returned to Shad- well, to which parish he had origi- nally belonged. Here he after- wards became chargeable to the parish, and was passed to St. Mary, Canterbury, on the grounds that he had obtained a settlement in that parish by his service of a year. Against this decision of the magistrates that parish now appealed. The Court, after hearing the argument, decided that no settlement had been gain- ed

ed in St. Mary's parish: to constitute a settlement, there must not only be a binding, a sleeping and support, but there must also be labour. In the present case, the master had not had the latter. The boy was bound to him to learn practical navigation, but he had not done so: he was sent to school, where he was taught theoretical navigation only; and there he went by his own choice, and not in consequence of any control exercised over him by his master. This was not such a binding and service as would settle the pauper, who still belonged to his original parish; and the order of sessions, settling him on St. Mary, Canterbury, was ordered to be quashed.

COURT OF COMMON PLEAS,
TUESDAY, FEB. 16.

Christie v. Jones.—This was an action brought by Mr. Christie, the auctioneer, to recover from the defendant 509*l.*, which he alleged, being money belonging to him, was won by the defendant, at games of cards, of his clerk, at different times and places.

William Rickards said, he had been servant to Mr. Christie seven years. He was discharged at the end of July last. In his situation as clerk, he was in the habit of receiving money coming to Mr. Christie as an auctioneer, to a considerable amount. The various sums were paid on account of jewels, pictures and property, sold in Pall-Mall. The witness had known the defendant between one and two years. The defendant lived in Pall-mall and kept a billiard-table. The wis-

ness had played with him many occasions, at cards. He played with him for money the 22d of April last. The defendant knew he was a clerk, did not know he received the master's money. The first time he played with him at cards was at the Star and Garter in Pall-mall. They played at cribbage, and the witness lost the money of his employer James Christie. He met the defendant again about 30th April, and played again with Mr. Christie, and lost 70*l.* On that occasion they began with 5*l.* and increased it to 10*l.* and so on. He met the defendant at Bedford's Rooms in Pall-mall and played with him to the hour. Two of the defendant's brothers were present, and believed Mr. Bedford was present, but could not speak positively. The witness also played with a friend of Jones's, who was introduced to him. This friend pretended ignorance of the witness, and it was understood that he was from the country. The defendant proposed his friend should play for him, and the witness should give him two hands of cribbage; leaving him, at the same time, at liberty to introduce him in his play. The witness was a winner on that occasion, and received an amount of 60*l.*, part of which remained unpaid, but Jones paid it the next day. On the 1st of May he played with the defendant on the same principle as he had played before. The witness was made good by the defendant; he lost 125*l.*, which was Christie's money. He was unable to pay 15*l.* of the lost

APPENDIX TO CHRONICLE. 197

ight, but the next day he
the defendant, and paid him
st of Mr. Christie's money.
pen another occasion, play-
h the defendant's friend at
n of the Haunch of Veni-
n Brook-street, for 150l.
defendant put down the
. The witness lost 80l.,
was Mr. Christie's money.
remembered going with a
bank-note, which he had
at Ransom and Morland's,
ment of a check given by
Woodburn, of St. Martin's-
er property bought of Mr.
ie. He lost the note in
on to the defendant.

a Langdon, another clerk
r. Christie, was at the
h of Venison, in Brook-
; he went by invitation of
ds, and met him there
; with the defendant. A
avidson was also present.
son was the friend of the
ant. About 12 o'clock
ds went out for money
me back with a supply,
he lost.

Serjeant Vaughan address-
jury for the defendant, and
ded that no credit ought
given to such a person as
ds, who came into court
tness, to avoid a prosecu-
or felony. He called no
ses.

Chief Justice drew the at-
tention of the jury to the main
point of the case; namely, the
issue due to the principal wit-
ness. It would be dangerous, he
said, in the public interest, to hold
a person who had been de-
fined into a gaming house and
commit crime, was not
received as a witness.
actions similar to that be-

fore them in general took place
at midnight, and persons who
became dupes of the design-
ing gamester were perhaps the
best witnesses to bring offenders
to justice. Independently of all
other considerations, the jury
would find the witness Rickards
confirmed by other witnesses. If
the jury had a doubt they would
give the defendant the benefit; if
they had not they ought to find a
verdict for the plaintiff. If they
did find for the plaintiff, they
might rest on their pillows with
the consolation that they had
rendered a service to the public.

The jury without hesitation
found a verdict for the plaintiff
—Damages 509l.

OLD BAILEY, FEB. 20.

On Saturday Phillippe Caday
alias Philibert, Joseph Amand
Tregrosse, and Louis Amand
Cleransac, were indicted for hav-
ing brought from Mosambique in
Africa to the island of Mauritius,
certain persons to be sold as
slaves.

The Attorney General stated
the case, and the law as applica-
ble to the jury.

G. T. Brodley, in Feb. 1818,
was a midshipman of the Magi-
cienne frigate stationed in the
Mauritius. On the 21st of that
month was with the master in the
tender, lying in port Jacotay.
While there, they saw a schooner
about two in the afternoon,
standing off and on Souliac. The
wind was against them, and Mr.
Evans, the master, ordered Mr.
Garrett and witness to go over-
land to intercept the schooner.
They had about eight miles to
go, and they took a party of sea-
men. They got to Souliac about

half

half past four, and saw the schooner trying to get out to sea. In beating out she ran on a reef, and witness and his party went on board of her, where they found twelve or fifteen persons, among whom were the prisoners. Mr. Philibert appeared to be the master. The other two appeared to be mates. Mr. Philibert presented the ship's papers to Mr. Garrett, and told the latter that they kept no log-book. Witness went into the hold, which was fitted up with a loose dock or platform about four feet below the upper-deck. Witness had only seen one other slave ship, and she had no platform. There was no cargo except water on board. He examined three casks, and two of them had salt water in them. Mr. Garrett returned Mr. Philibert his papers. He conceived the schooner was fitted for a slave-ship. He supposed there were upwards of twenty water casks on board, much more than necessary to supply twelve or sixteen men. The schooner went down. On the 24th of February witness searched a storehouse close to the bank of the river Souliac, and found the yards and sails of the schooner, and about a dozen pair of shackles or irons of different sizes, fit for men, women and boys. They took them on board the Magicienne. He did not see the prisoners till they were in custody.

J. Sloughton, a seaman on board the Magicienne, confirmed the testimony of Mr. Brodley, and added, that while some of their party went down to board the schooner, others were firing at her from a hill, as they took her to a slave vessel.

Lyse Victorine, through an interpreter, February and March last a slave to Madame le Hermitage, in the Mauritius collected a great number of blacks arriving there; it had been a hurricane about the time there came with the Messrs. Philibert, Clermont, grosse and Fontaine, and they were killed by sailors; the blacks were put in a storehouse near le Brun's house; there were great many blacks, men, women and two or three children; she did not understand their language, nor could she speak French; they all were strangers to the island. She remained three days in the storehouse, where she was lodged during that time. She went away on the second day with about half the blacks, and returned with them the next day, and put them in the storehouse. Cuvillier came to her while the blacks were in the storehouse; he brought provisions and clothes for the blacks. She remembered the soldiers arriving at her house at night; they knocked at the door but were not admitted; the prisoners and Cuvillier were there at the time. He told the soldiers she would not open the door unless the commissary came; the soldiers waited outside all night, and the commissary came the next day and the door was opened. The prisoners were taken away by the soldiers, and the blacks remained in the storehouse, except some who were ill; she had never seen any prisoners but that time. She lived in the mistress's house; she

APPENDIX TO CHRONICLE. 199

er husband's name is Poly-
he came to her mistress's
he blacks were there.
dore confirmed this testi-

M. Campbell, a lieutenant
Bourbon regiment at the
ius, was aid-de-camp to
l Hall the governor. On
d of March last, by order
governor, he went to Ma-
e Brun's plantation with a
ment from the 22d. Poly-
as their guide. He point-
to them a wooden building
ro small huts. They got
near eleven at night. Po-

told him the huts con-
new blacks, and whites
rought them were in the
n building. Witness di-
his detachment, and with
arty surrounded the huts,
with another the wooden
g. He found the huts fill-
1 blacks, male and female,
number of 92. Greatest
ere naked. One was dead,
r dying, and nine so weak
ould not be moved. Al-
all were covered with the
and appeared quite asto-

when the soldiers sur-
d the huts and came up
em and examined their
s and arms. They appeared
uncivilized, were all Mo-
que blacks, and he was po-
they were newly imported
s. He secured the huts
e night and went to the
n building. He knocked
requested it to be opened,
a woman's voice said she
th her two daughters, and
e would not open the door
t time of night. He mo-
her no farther, but desired

the soldiers to let no one escape
from the house. He then went
about the plantation and found
another hut, in which were eight
or nine blacks, who told him in
French that they belonged to
Madame le Brun. He returned
to his detachment and found them
where he had left them, and re-
mained with them till next morn-
ing. The commissary came next
morning; and when the noise of
his palanquin bearers was heard,
the people in the house opened
the door, and they went in and
saw the prisoners Cuvillier,
Quanto, Madame le Brun, her
two daughters and Victorine.
Witness took the prisoners, but
at the desire of the commissary
he allowed Cuvillier to remain
with Madame le Brun. It is 20
or 22 miles from Souliac to Ma-
dame le Brun's. There are large
forests between,

Cross-examined. — The island
has been governed by the French
laws since the capitulation.

The prisoners Philibert and
Tregrosse put in long written de-
fences, in which they denied the
charge and asserted that they
had been to Madagascar for a
cargo of bullocks, which they
were obliged to throw overboard
in a storm, and that accounted
for there being no cargo found on
board the schooner. They wan-
dered about the island and met
Cleransac accidentally, who took
them to the house of Madame le
Brun. The defence went on to
state, that their treatment during
their voyage to England had been
bad. Cleransac's defence was,
that he was not on board the
schooner at all; that he had been
in the French navy, and was of
a re-

a respectable family in Bourbon, but was out of employment; he only acted as a guide to the other two to bring them through the woods.

Baron Graham summed up the evidence, and the jury, after a quarter of an hour's consultation, found all the prisoners *Guilty*.

The Common Serjeant (the judges having retired) sentenced them all to three years' imprisonment in the House of Correction, and during that time to be kept to hard labour.

COURT OF KING'S-BENCH,
FEB. 22.

Forged Bank Notes.

(*Before Chief-Justice Abbot and a Special Jury.*)

Ransom v. Fish.—This was an action on the case brought by the plaintiff, an engraver, against the defendant, an inspector of the Bank, to recover damages for the injury sustained by the former under a false and malicious imprisonment, upon the charge of the latter. It appeared that Mr. Ransom had paid a 1*l.* Bank of England note to Mr. Mitchener, who keeps the Hole-in-the-Wall in Fleet-street, which note was afterwards detained by the Bank on the ground of its being forged. Mitchener applied to Ransom to repay him the amount, but Ransom refused unless the note were returned to him. Mitchener then summoned him to the Court of Conscience in Fulwood's-rents, where the defendant attended and produced the note. Ransom asked to look at it, and then put

it in his pocket. Fish appealed to the magistrate, who said he could not interfere. Ransom then walked off with the note, and went to Mitchener's house and paid the 20*s.* A few days afterwards Ransom was summoned before Mr. Baker, one of the magistrates at Marlborough-street, when Fish made a charge in writing against him for having the note in his possession knowing it to be forged and counterfeited; and Mr. Baker committed him to Cold-Bath-Fields there to remain till duly discharged by law. He remained in that prison from the 23rd to the 27th of January, 1818, when he was again brought up, and Fish and Mr. Westwood his solicitor offered to discharge him if he would give up the note. He said he wished the question to be tried whether it were a forged note or not; and he would give it up to Mr. Baker if the Bank would undertake to try the matter. The defendant said he would consult the Bank. On a following day Ransom was asked to give up the note, but he refused. He said he had thought better of it, and he would not return it. Mr. Baker was then a little shy of sending him a second time to prison; and it was settled that he should give bail, himself in 200*l.* and two sureties in 100*l.* each, to appear on a future day.

Witnesses were called to prove the case on the part of the plaintiff.

Mr. Baker deposed, that he had committed Ransom on the evidence of Mitchener, of Fish the defendant, of Samuel Alsop, the register of the Court of Requests,

APPENDIX TO CHRONICLE. 201

and of John Holland, as-officer in that court, and the statement of Fish. He (Mr. Baker) and his magistrates had delivered opinion on the evidence the charge of Fish was on the book.

Gurney, for the defendant, said, that the case was by us proved by the evidence. Declaration stated, that the note was falsely and maliciously made and accused the plaintiff of having in his possession a £100 England note, knowing it to be forged and counterfeited, and caused him to be arrested, &c. The recital in the declaration was no evidence against the defendant. The complaint proceeded from the evidence and the evidence by no means supported the allegations in the declaration. The charge was "upon suspicion," and the words had not found their way into the declaration. In support of this objection the learned Judge cited *Tempest v. Chamberlain*; *Lee v. Webb*, (165); and *Bell v. Burnes* (1854).

On the other side Mr. Scarlett said, on *Davis v. Noak*, (1837), in which Lord Ellenborough said that the action did not depend on words only, but on facts done.

The Chief Justice said, that he had the authority of the last case on there was no variance in the present case; but as there was no nicety in the objection, he would give the defendant's leave to move to enter a verdict if he should think proper. Messrs were then called by

the plaintiff to prove that the note was genuine.

Mr. Warren, who said he had been an engraver for 40 years, deposed, that he had paid particular attention to Bank-notes that he had engraved for local banks in different parts of the country, and that, with all the knowledge he had upon the subject, he believed this note to be a genuine note.

Mr. Le Maitre, a watchmaker, said, that from general observations he considered it a good note, and he should not have felt the least hesitation in taking it.

Mr. Haydon, an auctioneer, deposed, that he was in the habit of taking a great quantity of Bank-notes: he had paid particular attention to this subject for many years past, and was never deceived by a forged note except in one instance. He had no doubt, from the marks which he had been given to understand, in confidence, that the Bank relied upon, that this was a good note.

Mr. Gurney said, that the defendant was taken by surprise with respect to this evidence, and therefore no person was present on the part of the Bank to prove that the note was forged. He contended, that the defendant had not acted maliciously, but from the best and purest motives.

The Chief Justice said, the only question was, what damages the plaintiff was entitled to if the defendant had acted improperly. After the character that had been given of the plaintiff to the magistrates, the learned Judge thought, that it would have been a more prudent course not to have committed him. It was also

to be observed, that there was an offer of letting him go, if he would give up the note. Now the act of committing a man under a capital charge for the purpose of getting the note, was very much to be reprobated. If the jury thought that the defendant had acted from a bad motive, then they would find a verdict for the plaintiff; but if they did that, he recommended them to estimate their damages with temper and judgment.

The jury deliberated for a short time, and returned a verdict for the plaintiff, damages 100*l*.

TUESDAY, FEB. 23.

(*Before Sir John Allan Park, Knight, and a Special Jury.*)

Young v. Wright and another. This was an action of trespass against the defendants, as the messenger and his assistant under a commission of bankrupt against one John Crowley, for entering the Queen's Arms tavern, St. James's-street, kept by Crowley, and alleged by the plaintiff to belong to her, and seizing the stock, furniture and effects therein. The damages were laid at 5,000*l*.

The defendants put on the record a justification.

It was stated by Crowley, who was examined on the part of the plaintiff, that he took the Queen's Arms tavern in June, 1814, and that so shortly afterwards as in the following December, he transferred his interest in the premises and in the stock and furniture to his sister-in-law, the plain-

tiff, in consideration of a part of which was paid in notes, and the rest by bill. He took a house at Paddington which he removed. He stated stock of wines and spirits time to be 1,400*l*. and of a porter from 80 to 100*l*.

On his cross-examination which he underwent with effrontery, he stated that he moved to St. James's-street from cott street, Goodman's-fields, where his wife kept a circulating library; that at that time he was a general merchant, buying and selling every thing and all things. That his warehouses were in the Strand, and the house with the circulating library for which house he paid 100*l*. per year. That on leaving Paddington street he brought away with him from 1,500*l*. to 1,800*l*., and paid his creditors 5*s*. per pound. That he did not pay a premium for the house in St. James's-street, and on coming into it contracted debts to the amount of 2,000*l*., for which he gave bills which became due at the beginning of the following year. That he left St. James's-street and took the small house at Paddington, to carry on his wine trade. He also admitted that he had formerly been a milliner and fancy dress maker at Leeds, where he became bankrupt, and had afterwards been an auctioneer. The sum he gave of the consideration money said to be paid to the plaintiff, was most extravagant and incredible.

The learned Judge held that if the transfer were *in* *fide* the plaintiff's possession it was a fallacy.

APPENDIX TO CHRONICLE. 203

out from the plaintiff's in speaking of the omission, that Crowler was the petitioning and sole assignee, he debt of 105*l*. That pressed himself of procuring to the bankrupt the amount of 400*l*., the creditors under that had never received, nor even had the bill been paid. Jeant Vaughan addressed Jury on the part of ants, stating this to be most fraudulent cases come before any court: stated with great force y upon the evidence in the part of the plaintiff particularly on that of He could not refrain ag, with some humour, d of a fancy dress-wley should be called mission-maker, and ie was a perfect Pro- g been successively a d fancy dress-maker, eer, a librarian, a mer- ling in every thing and a tavern-keeper and a ant. After showing f the pretended trans- rowley to the plaintiff, nt Vaughan told the would give them the ice, for he would lay n the evidence of the self.

his, the proceedings present commission iced, and the exami- the plaintiff, on oath, Commissioners, con- hem, were read. A ct is given as a speci-

men, where she was asked as to the 2,000*l*.

Where did you obtain the money which you said you paid for the purchase?—I procured it from friends.

From whom—name them?—I did not prepare myself for that question.

From whom did you receive it?—I must first obtain their permission before I mention their names.

Did you borrow it from any person?—Yes, Sir, I borrowed it.

Of whom?—I am sure I do not know the gentleman's name.

Where does he live?—That I do not know.

On one of these examinations the plaintiff was committed to Newgate for prevarication.

The plaintiff, in her examinations on her oath, states, that in 1814 she kept a school at Newcastle, in which she failed, and her goods were sold off and her creditors were paid a small composition, after which she came up to town, in October, 1814, a mere beggar; and thus situated, took the pretended transfer of the Queen's Arms tavern from Crowley, at 2,000*l*. She stated, on her oath, on being brought up from Newgate, in answer to a further inquiry as to where she got the money to pay Crowley, that she was recommended by a Mr. Davis to a Mr. Baruh, who lent her the money. But Baruh was put into the witness's box, and said that he never lent the plaintiff any money, nor ever saw her or knew her until he saw her in Newgate, after her examinations. Davis was also produced, who denied that plaintiff had ever applied

applied to him to borrow money, nor did he borrow money for her, and particularly that he never applied to Baruh.

On the part of the defendants, evidence was also produced to support the present commission, which was established to the satisfaction of the Court.

The learned judge summed up the evidence in an able manner, stating that the case was pregnant with fraud, and that the examinations of the plaintiff were quite fearful.

The Jury returned a verdict for the defendants.

COURT OF KING'S-BENCH.

MARCH 4.

Rennie v. Cropper.—This was an action to recover the sum of 2,000*l.* as compensation for expenses incurred by quarantine, demurrage, loss of time, and unloading and re-shipping the cargo of a vessel. It appeared, that the ship was chartered from Liverpool to New York and back, with liberty for the consignees to ship a cargo in return. The Captain was not bound to seek a cargo, but he was bound to carry one, if the consignees shipped it. They accordingly did ship a quantity of wool, which the Captain was told was American produce. He proceeded on the homeward voyage; but, on his arrival, it was found that the wool was Smyrna wool, and all ships from that place, at that time, were bound to perform quarantine. He then proceeded to Milford-haven, where he was detained 104 days in performing

quarantine, during which time he was obliged to unload the cargo, and expose it to the air. He was also subject to a demurrage of 15*s.* a-day, with other expenses consequent upon these proceedings. When he arrived at Liverpool, he demanded payment of his expenses, and of the money incurred by the delay. The charterers refused to pay more than the contract for the voyage, and therefore he brought the present action.

The question turned on this point—whether the Captain knew, or was informed, at the time of shipping the wool, that it was not American produce, but that of Smyrna, or any other foreign country, inasmuch as by the Navigation Acts of the Protectorate and of Charles II., called the Navigation Laws, no British ship, going to a foreign port, is warranted to bring back a cargo of any other country than that from which it is shipped.

The Chief Justice summed up the case and the evidence, to the jury, who returned a verdict for the plaintiff—Damages 2,000*l.*; costs 40*s.*

French v. Giles.—This was an action on the case to recover damages for a severe personal injury sustained by the plaintiff, in consequence of the neglect of the defendant, under the following circumstances:—

The plaintiff was a respectable anchor-smith and ship-chandler, resident at Wapping, and on the 2d of August last he hired of the defendant, who was a coach-master, a landau for the day, in which he proceeded, with his wife and children and a servant, to Chislehurst,

APPENDIX TO CHRONICLE. 205

first, in Kent, to leave the children at school. On his return towards town, he was seated on the box with the driver, and at a short distance the leather strap, which supported the box, suddenly broke, and the box fell, whereby they were thrown upon the road, the plaintiff had two of his ribs broken, his arm fractured, and otherwise sustained great injury, which obliged him to be confined to Chislehurst, where he remained five days under the care of a surgeon, whence he was conveyed to his house in London, where he was confined for several months before he could come out. He therefore brought on to recover compensation. He deposed in evidence, that the defendant, as soon as he was informed of the accident, wrote a letter to the plaintiff, expressing his regret for the injury he had done, and offering any reasonable compensation in his power. The plaintiff preferred no action on the case. The Chief Justice in summing up the evidence to the Jury, said that a person in the situation of the defendant, who let out carriages by the day, was bound to take every new coach; but he was not to keep his carriages in repair, for the safety and accommodation of the persons using them. But it must be remembered, that although he had never exerted a reasonable care, with a view to such accidents, yet, sometimes, there are visible flaws which escaped him, and from which accidents arise. If the jury were of opinion that the defendant had

not been guilty of any wilful negligence, but had used due caution, and had no knowledge of the defect, then they would find for the defendant; but if they entertained a contrary opinion, then they would find for the plaintiff.

The Jury retired for two hours, and, at six o'clock, when the chief-Justice had left the Court, they returned with a verdict for the plaintiff—Damages 50*l*.

HERTFORD ASSIZES, FRIDAY, MARCH 5.

James Head, aged 40, and Martha his wife, were indicted for having set fire to a barn in the occupation of John Overell, of Wakely, and burning thereby an immense quantity of corn, his property, on the 27th of August last.

Mr. Walford opened the case for the prosecution; but in the course of his statement it appeared that the male prisoner and his wife had alternately made declarations upon the subject of setting fire to the barn, and that the woman particularly had avowed that she was the hand who did it, but that her husband was present when the act was committed. Upon this a long discussion took place, whether the woman, acting a guilty part in the presence of her husband, was not excused on the ground of coercion; the counsel for the prosecution arguing that the principle did not extend to the crime of arson, and the advocates on the other side contending that it did.

The Judge (Park, who also obtained

obtained the advice of Mr. Justice Bayley) coincided in opinion with the prisoner's counsel; but desired the case to proceed as against both prisoners, upon the ground that the woman might turn out to be the guilty person, and not the man. Mr. Walford having stated the case, proceeded to call evidence.

John Overell said, he kept an extensive farm, and resided in the hamlet of Wakely. The prisoner had been in his employment, and he discharged him on the 18th of May last. His barn was set on fire the 27th of August following, and completely burnt down. His large stable adjoining, and a shed, were also burnt down. The barn was separate some distance from his dwelling-house. In the year 1817 his premises were set fire to in a similar way.

J. Turtle said, he resided at Buntingford. On the night of the 27th of August he was alarmed by information of a fire at the premises of Mr. Overell. He rose from bed, and rode to the spot. The fire, which was blazing, appeared to have commenced at one corner. In about two hours after he had been there, James Head appeared upon the premises, and kept walking about and talking very much of the former fire at his master's in 1817. He talked also much of the then fire, and witness was induced to observe him closely. The prisoner caught his eye, appeared embarrassed, and shuffled away to break off the conversation.

George Mickley said, he also went to the premises of Mr. Overell the night of the fire. He saw the prisoner there, who spoke

to him, and said it was a sad job that a fire should thus happen again on his master's premises. His wife, he added, was unwell, and had got out of bed in the night, when he (the prisoner) said he thought there was a fire. His wife replied it was nothing but moonshine, but he thought it was a contiguous farm which was on fire. The prisoner appeared to the witness to be confused and agitated. He lived about a mile from the place where the fire took place. Witness did not think it possible, from the situation of Head's dwelling, that he could see a fire while he lay on his bed; but admitted that the atmosphere might be illuminated by a blaze where the fire was not directly opposite to the view.

Thomas Britton resided at Munden, close to the prisoner's house. The latter called him up on the night of the 27th of August from bed, by an alarm of fire. Witness arose, and accompanied him to the premises of Mr. Overell. The prisoner told him on the way, that when he first called him up he was naked, and that his wife threw his clothes to him out of the window, when he put them on by the time he (the witness) had got dressed.

Richard Tew (an interesting boy) said he was the son-in-law of James Head. Martha Head was his own mother, and he lived in the house with them. He slept up stairs in a room outside his father's, and through which the latter must have come to go down stairs. On the night of the 27th of August he was awoke by a person, whom he knew to be his father, and who went down stairs
and

APPENDIX TO CHRONICLE. 207

of the house. He remained about a quarter or half an hour. He knew his voice and heard him distinctly have left a brave light on the fire." Witness soon after went to sleep, but was again, at a late time, aroused by his father who called out, "Dick, your master's (Mr. Head's) farm is on fire." Witness saw his father's smock-stick protruding from the window to him. His father said, that her husband was in the employment of the prisoner in August last. Her father had money to pay the prisoner after his discharge from the gaol in May last. He then came to their house, but her husband was not at home. He asked him if he came for money; he said, yes; but it was not so much when he had been there as it would be some time as it was for them; when he immediately replied, "Damn the blood (meaning Overell), I'll put my knife in his throat, whether or two want a knife as he." He also added, "I'll send him to hell if they will not give it, and he (Overell) shall not live. He wants another man's head, and he must look sharp if he does not have it." Witness asked him if her father ever heard him use such language, when the prisoner said, "No; hell a bit; the prisoner's husband knows, the money will be for him." Witness had known Head and his father for eight or nine years, but had no immediate intercourse with them. She had never said angry words or quarrelled with either in her life.

Under the direction of the learned judge, the prosecution against the woman was here totally abandoned.

Stephen Lavender, the Bow-street officer, said he was employed in the investigation of the affair in question, and went to the house of the prisoner James Head, which he carefully examined in his presence. He lay down on the bed from whence the prisoner said he had seen the light of the fire, and thought it utterly impossible he could have seen it from thence.

The prisoner, in the most solemn manner, protested his innocence.

Mr. Justice Park addressed the jury; who, after a consultation of about ten minutes, pronounced an *acquittal* as to Martha Head, but found the prisoner James Head—*Guilty*.

Chelmsford, March 10.—Wm. Bush, James Westwood, George Westwood, Joseph Chessum, Robert Wolfe, James Jeffery and Robert Litchfield, were indicted for burglariously breaking and entering the dwelling-house of John Chapman, at Waltham Holy Cross, in this county, and plundering the house of a variety of articles set out in the indictment.

Mr. Jessop stated the case, which was proved by an accomplice of the name of Duvall, who gave the following account of the transaction: That Wolfe, who was the captain of the gang, on the 25th of October met him in London, and told him that if he and Litchfield would come to his house they would meet with some others, who were to proceed to a house

a house where they could get a good booty, as they knew an old man who had a good hoard. He accordingly met Litchfield the next day at Hertford, and they went together to Hoddesdon, where they slept at the Red Lion; they staid there until 4 o'clock; they went on to Bromley, where they crossed the fields to Mr. Chapman's house, which was a lone farm-house in the parish of Waltham. They listened in a lane until it was quite dark, and then they went to an outhouse near the house, where, by appointment, they were to meet Wolfe and the others. Soon afterwards Wolfe and the four others joined them, and they all continued in the outhouse until about eleven o'clock at night: they then went to the house, and just then they saw the carter returning with his waggon, who had been to London; he went into the house and got a light, and went with another lad into the stables. Some of them immediately bound the two men together, back to back, and fastened them to the manger, where Wolfe stood guard over them. The others then went into the house and went up stairs, when they got into a room where they found two men-servants sleeping; they asked them where was their master's bed-room, and where he kept his money. The men were very much frightened, and replied, their master slept at the other part of the house, and that they did not know where he kept his money. A guard was left upon them, and they proceeded to the other stair-case; but here they found a strong

door, which was fastened went out and got two cutters, with which they diately shivered the door burst into Mr. Chapman's room; he and Mrs. C. were in bed; they demanded money and his keys, which gave them, and told them money was in a bureau; they went down stairs and open the bureau; they all open an iron chest, forced closets and completely ransacked the house, taking away considerably above 100*l.* in money and three watches; and galed themselves with wine spirits, and took away a part of a ham. The manner and circumstances of the robbery were also confirmed by the servants and Mr. and Mrs. Chapman.

In confirmation of the money of the accomplices proved by the landlord, Hoddesdon, that he and Litchfield had slept at his house the night before the robbery, and one of the men was found in the possession of Jeffery and another in the possession of Wolfe's house.

Mr. Curwood crossed-examined the accomplices, but did not credit his testimony.—They found them all guilty.

Litchfield was also convicted of another burglary in the parish of Nash Kemp, at Chislehurst, a little shopkeeper. He was taken the next day with all the goods having stripped the shop.

Chessum, Wolfe, and Litchfield were convicted of a third burglary.

The learned Judge immediately passed sentence of death,

APPENDIX TO CHRONICLE. 209

Litchfield, Jeffery, and at they would certainly ited.

gang has for some time dread of the surrounding neighbourhood. Wolfe acted always; came to his horseback, and the usual was at his house at 1, where they adjusted accounts and settled the of the plunder.

DESTONE, MARCH 17.

and another v. Bayley,
This was a case of rather a nature. It was an act-trover by the plaintiffs, hwardens of the parish in the Baptist, Margate, the defendant, as rector parish, to recover the certain black cloth which a put up in the parish in respect to the memory late Princess Charlotte of out which the defendant erted to his own use by t made up into coats, ts and other articles of

sared that the plaintiffs, hwardens of the parish in wishing to pay proper o the memory of the late Charlotte, had purchased y of black superfine cloth ymere of a woollen-dra-fargate, for the purpose ing the pulpit, the read- and the communion- the church, during the tted to public mourning t-melancholy event. The at 37l. 0s. 9d. and was the places above-men- LXI.

tioned, where it remained for six weeks. At the end of that time the plaintiffs sent for the woollen-dra-per to take down the cloth again, and give them the amount of its then value, to be placed to the account of the parish. The de-fendant, however, having been apprised of the intention of the plaintiffs, took steps to appro-priate a portion of the cloth to his own use, the remainder of which was divided between the clerk and the sexton. The de-fendant afterwards employed the same woollen-dra-per of whom the cloth had been originally pur-chased, to make him a coat and other articles of clothing from the cloth so taken and converted. Some ill-will seemed to have arisen in the parish in consequence of this act of the defendant, who was charged by report with hav-ing stolen the cloth. He was afterwards applied to for the pur-pose of accounting to the parish for the amount of the cloth taken; but having declined all commu-nication with the plaintiffs, in consequence of the coarse imputa-tion cast upon him, the present action was brought.

The defence set up was, that it was the general custom of all the parishes in the kingdom to allow the rector to take a portion of the black cloth put up in churches on the occasions of public and private mourning, and that in all events such was the custom of the particular parish in question.

Mr. Justice Bayley objected to the evidence of general custom, but allowed evidence to be given of the custom of the particular parish.

P

Witnesses

Witnesses were then examined upon this latter head; but their evidence went to show, that in two instances where private individuals had put up black cloth in the church out of respect to departed friends, the rector, the parish clerk and the sexton, had been allowed respectively to take a portion of the cloth so put up. The general impression of the witnesses was, that such was the general usage.

Mr. Justice Bayley, in his address to the jury, laid it down as the rule of law, that no person had a right to hang up what are called ornaments in the church without the leave of the rector, because the freehold of the church was in him, and he might make his own terms for that leave. In general, where private individuals hung black cloth in the parish church with the concurrence of the rector, there was a kind of understanding between them that the cloth became the property of the rector. In the present case, however, there had been no bargain between the plaintiffs and the defendant with respect to the terms upon which the cloth was to be hung in the church, and consequently the latter had no right to take any portion of the cloth, because, by law, he was not entitled to take such a property, unless by matter of arrangement or agreement between the parties to whom it belonged. Under these circumstances the plaintiffs were entitled to a verdict for the value of the cloth which the defendant had converted to his own use.

The jury found for the plaintiffs.—Damages 15*l*.

EXETER ASSIZES, MARCH
*Before Mr. Justice Holroyd
a special jury.*

Rex v. Sir Manasseh L. Bart.—This indictment charged the defendant with having himself and by certain agents corrupted and bribed several electors of the borough of Grampound.

Mr. Sergeant Pell opened the case on the part of the Crown.—The borough of Grampound contained sixty voters, claiming that right in respect of being men. In November, 1811, a meeting took place between M. Lopez and a man of the name of Hoare, who would be called a witness. Hoare being a voter of Grampound, the object of the meeting was, to adjust for bringing Sir M. Lopez to the borough. This was effected by a loan of 2,000*l*. to the electors; this loan being a gift, and the price of their votes. In addition to the evidence of Mr. Hoare and other gentlemen, letters would be produced from Sir M. Lopez himself, which would leave no doubt upon the nature of the transaction.

A number of letters were read from Sir M. Lopez and Mr. Hunt, his solicitor, addressed for the most part to Mr. W. Hoare. By these letters it appeared that Mr. Hunt was confidential solicitor of Sir M. Lopez, and that he was the person employed to manage the business of this election; that 2,000*l*. was to be paid upon securing five voters; that the 2,000*l*. was to be a loan, and to be repaid by Mr. Hunt. After expending considerable sums it appeared

APPENDIX TO CHRONICLE. 211

interest. Mr. Teed, the petitioner for Grampound, visit to the borough, and Lopez declared, in one of hers, that far from being

by Mr. Teed's journey, gentleman would place he situation in which he before the commencement negotiation, he (Sir M.) assign his interest to him.

these letters, in which, of the electors of Gram- Sir M. Lopez says, "If I find any gentleman who I think better, they may their services to him:"— other, in which Sir M. e shall not be put to the al expense of a dinner to ers, excited considerable nt.

um Hoare swore that he lderman of Grampound;

Nov. 1814, he went to and saw Sir M. Lopez at use in Arlington-street; gave Sir M. Lopez a let- trodution from Sir John ; that Sir M. Lopez said l there was an opening in ough of Grampound, and should be coming down d would see witness on iness; that Sir M. Lopez ed witness to consult the the magistrates and free- the subject and write d; that witness then told Lopez that the electors e satisfied, and 2,000l. e necessary for that pur- at after he returned to und he wrote to Sir M. on the subject, and re- n answer. In the begin- the month of December

Sir M. Lopez at Ply-

month; that he went with him to Mr. Hunt's office, where he saw Mr. Hunt; that he then explained to Sir M., in the presence of Hunt, that the freemen wanted 2,000l., and that Sir M. Lopez said Hunt should come down; that Hunt was at Grampound twice; that on the first occasion he did not see so many of the freemen as he expected, and only stayed a few hours; that he after- wards met Hunt by appointment at St. Austel, and Hunt came again to Grampound, where he saw about forty of the freemen; that he told Hunt that the free- men expected 50l. each; that Hunt said that could not be; that they could have only 35l. each; that Hunt then desired him (wit- ness) to send the voters into the room (a room at an inn) one by one; that he did so; that Hunt's clerk, Mr. Rawle, was in the room, and John Brown, a voter, when witness left it; that Symons was not introduced at this time; that he saw Sir M. Lopez some months after, at his seat near Plymouth, and that Sir M. Lopez then said, "I have secured Symons; I have done something for him here;" touching the palm of his hand. That he afterwards in- troduced Allen, a voter, to Hunt, who did not seem inclined to re- ceive him, as they had already got a majority.

On being cross-examined by Mr. Adam, he said, that when Mr. Teed and Mr. Lambe, his solicitor, came down, he told them that he had a letter from Sir M. Lopez, in which Sir M. said he would relinquish his claim to any gentleman who would do better by the borough. That as

Sir M. Lopez felt rather insecure he was looking for this letter among others from Sir M. Lopez, Mr. Lambe said, "I will look for it;" that Mr. Lambe then took all the letters and said he would return them; that they had not been returned; that he was anxious to have them back, lest people should suppose he had sold them. When Hunt came to Grampound the second time, and witness sent in the freemen one by one, he did not see any one receive any money.

Did you receive any money?—Yes, I did.

Mr. Justice *Holroyd*.—I ought to tell you, you are not bound to answer any question which may criminate yourself.

Mr. *Adams*.—I now put the question again: Did you receive any money?—Witness. I do not choose to answer.

Mr. Teed (examined by Mr. Sergeant Pell) said, that he was an unsuccessful candidate for Grampound last election, and was at the present moment a petitioner. That in August, 1817, he received from Isaac Watts, a voter of Grampound, a paper containing the names of the voters who had been bribed by Sir M. Lopez; and that Watts told him the respective sums which had been paid, which he put down against the respective names; that he called on Sir M. Lopez in London; that he told Sir M. Lopez that he called at the desire of Watts, to know what he (Sir M. Lopez) intended to do respecting Grampound. If he (Sir M. Lopez) would be content with one seat, he (Mr. Teed) might have the other; that wit-

ness then told Sir M. Lopez he was acquainted with his proceedings at Grampound, and produced the list he had taken from Watts; that Sir M. Lopez merely expressed his surprise where the witness could so correct a list. That witness said the sums were very correct except that he had paid some more than was put down. Witness told Sir M. Lopez he and the electors were not to a prosecution; that Sir M. Lopez then said, he would protect the electors if it cost 100,000*l*. That he had taken counsel's opinion; and that the electors were not liable for two years had elapsed since the transaction.—On his examination by Mr. Adams, Mr. Teed said that he did not tell Sir M. Lopez that he should be prosecuted; but only that he was liable to prosecution. That the letters were taken from him by Mr. Lambe, with the consent of the witness; and that he (Mr. Teed) did not choose to return them when he discovered their contents.

Mr. Moore argued on behalf of the defendant, that the question in question had been given for charitable motives, to the borough of Grampound, which was at that time in great distress. He commented at considerable length upon the testimony of various witnesses who had been called on the part of the prosecution. The Mr. Hoares, who stood convicted, by the confession, of the very offence which they were attempting to charge upon Sir M. Lopez, were quite unworthy of credit. The jury should be cautious.

APPENDIX TO CHRONICLE. 213

lord lowered his rents to his tenants, and was afterwards returned by their votes to parliament, would that constitute a precedent? Where was the difference in the present case? The learned counsel then commented with some severity upon the evidence of Mr. Teed; and concluded with a hope, that if the court entertained any doubt upon the evidence they would give the benefit of that doubt to the accused.

Justice Holroyd summed up the evidence at considerable length, and expressed his opinion that if the witnesses were relied on, the case had been clearly made out. The jury, after leaving the box, found the defendant Guilty.

COURT OF ADMIRALTY, MARCH 25.

the matter of the Ship — Sir William Scott pronounced to give judgment in this case to-day; the facts of which, as he was enabled to collect from the very contradictory affidavits which had been produced, were in general these: that the Asia private East India ship, laden principally with goods, on her homeward voyage from Bombay was overtaken in the Downs by the memorable storm of the 4th of last March, which lasted through several tedious days; that she broke her anchor, and her windlass was damaged as to become useless; that in passing Ramsgate lights were hoisted, the one says, in order to obtain assistance, and guns fired for the

same purpose; that after passing Ramsgate it was determined on consulting with the pilot, and for the purpose of saving the lives of her numerous crew, amounting in all, including the officers, to 28 men, besides some Custom-house officers who were on board, to run her ashore; it being then some time after high tide, which was falling fast, the wind setting in fresh in shore. This was done without any material injury to the vessel, except unshipping her rudder. Now a matter in contention between the parties was, whether lights were so hung out and guns fired, before she was ashore or after. But it was admitted that guns were fired. The presumption was, he thought, and in that he was supported by the opinion of the nautical gentlemen by whom he had been assisted, that lights were hung out before. In that condition of the ship, it must have been impossible for her to proceed without making signals for assistance from the shore, and therefore she passed Ramsgate with lights hung out. It was asserted, that after being run on shore she lay firm and secure; in that case it would be difficult to account why guns were fired at that time, by the direction too of the pilot, a person charged expressly with the safety of the ship. The boatmen of Ramsgate in the neighbourhood of the pier, were on the look-out for accidents of this kind, in order to render their useful but perilous services, various ships being at that time supposed to be in distress. One boat was at length got along the shore and dragged opposite to the

the spot on which the vessel was a-ground. Having got the boat off with the assistance of several persons who were on the beach, five men proceeded in her; and certainly in such a night, in such a storm and such a sea, the mere description of which could not be read without terror, this was a service of extreme peril and difficulty, rendered by a set of men accustomed to face danger and to condemn it, with spirit and with activity. Almost immediately on their quitting the boat, which swamped but was not lost, the danger to the ship fortunately ceased; therefore, as for 18 other men who came on board afterwards, and certainly performed severe labour at the pumps, he could only look at their services as labour, and not as of a salvage nature. After a review of the various points of evidence, he finally decreed 360 guineas to the five men who first boarded the *Asia*, as salvage money; and 350*l.* to the other 18 men, as the price of their labour. Salvage to be paid on freight in proportion; that is, 70 guineas being as the proportion of its value (6,000*l.*), was to that of the cargo (30,000*l.*), or as 1 to 5, and 10*l.* for damage done to the boat.—Thus the whole sum given by this sentence is, 811*l.* 10*s.*

SUSSEX ASSIZES.—HORSHAM,
MARCH 25.

Crown Side.—Before Mr. Justice Bayley.

Cutting and Maiming.—James Gibbs, a youth of prepossessing appearance, aged about 18, was

indicted under Lord Ellenborough's act, for feloniously maliciously stabbing and cutting George Gibbs, with intent to murder or do him some grievous bodily harm, on the 15th inst. in the parish of Storrington, in this county.

George Gibbs, a youth 16, the unfortunate victim of the prisoner's ferocity, appeared in the box, dreadfully emaciated and still labouring under the effects of the outrage which he suffered, his wounds being green, and gave the following statement:—His father was keeper to lord de la Zouch, lived at Parham-park. In the evening of the 15th of March, about eight o'clock, his father sent him with a message to the Crown public-house, a short distance from Parham, when he met the prisoner near the end of his father's garden. The prisoner took a stick over his shoulder, and though the night was rather dark, he could see him by the light of a lantern which he carried in his hand. The prisoner was alone, but appeared to have come from another young man named Duke. When the prisoner approached him, he was about to wish him good-night, when the former struck him over the head and face with the stick which he carried. He was nearly stunned by the blow, which being repeated he was knocked down. From the violence of the blow the stick was broken. The prisoner immediately cried, "Oh! Jemmy Gibbs, don't deride me;" and begged for mercy. The prisoner then went to him, and immediately pulling

a p

APPENDIX TO CHRONICLE. 215

ket knife cut him twice the chin; but his sanguinary design having failed by means, he stabbed him between the right ear with the same. Witness struggled to get from him, and in doing so freed him of the knife; and in the scuffle the prisoner drew it from his hand and wounded it with his fingers. The prisoner then took him round the neck and dragged him to a gate and endeavoured to swing him against it. Witness cried for mercy and called "Murder!" upon which the prisoner took hold of him by the throat, and he gripped with both his hands in order to prevent him from making any noise. He immediately afterwards let go, but gripped his throat a second time, when the witness lost his consciousness and remembered nothing afterwards; when he recovered he found himself with his friends. He bore positively that he never quarrelled in his life with the prisoner; that they were friends; they were not enemies; that he had known the prisoner as a passing acquaintance and had seen him occasionally; but was by no means intimate with him. He could in no manner account for the prisoner's attack upon him. George Whale proved, that he heard the cry of "murder" in the evening in question and ran to the spot whence it proceeded, when he saw the prisoner weltering in his blood, in consequence of the alarm which he gave, the prisoner was arrested. William Moore proved, that

he was attracted to the sanguinary scene in consequence of hearing the prosecutor cry out "Murder;"—"Jemmy Gibbs, don't murder me!"

Daniel Duff stated, that he apprehended the prisoner between nine and ten the same night on Wracklan-common, and saw the prisoner running from him and endeavouring to escape.

John Braby was present when the last witness seized the prisoner: his hands and face were very bloody.

Daniel Nash picked up the pocket-knife, which was smeared with blood, and a stick, resembling a broomstick, broken in two or three pieces; which articles he produced, and which were proved to be the prisoner's.

Mr. Dennett, a surgeon at Stonington who was called in, described the wounds which had been inflicted on the prosecutor. The knife being shown to him, he said it was dull on the edge and in his judgment that circumstance prevented the wound being fatal.

Here the case for the prosecution closed.

Mr. Justice Bayley asked the prisoner what he had to say in his defence.

The prisoner said, "I don't know that I can say any thing."

John Gibbs, the father of the prisoner, came forward in a state of pitiable agitation, so much so, that he could not stand, and stated, that he was a labouring man, that his son and he were in the habit of working for Mr. Emery, a farmer at Parham. On the day mentioned in the indictment, after he and his son had performed

performed their daily labour for their employer, they came home to do some work in their own garden. He observed that there was something singular in the behaviour of the prisoner, who seemed not to work with his usual cheerfulness. At supper time in the evening, about seven o'clock, the prisoner seemed low-spirited and ate very little food. He kept back from the fire, instead of coming forward as usual on such occasions to join in the humble cheerfulness of their meal. About half-past seven the prisoner went out and never returned. He did not know of any quarrel between the prosecutor and his son.

Sarah Gibbs, the wretched mother of the prisoner, also in an agony of grief, stated, that she observed something singular in the behaviour of her son during supper-time of the night in question. He ate little and sat quite behind from the rest of the family. His aunt was present and was about to go home; he was asked to accompany her, but he made no answer and stood dejected against the cupboard of the room. Witness knew of no quarrel between her son and the prosecutor. They always appeared to be on good terms with each other. The prisoner was a quiet, affectionate and industrious lad, and worked early and late, and was not given to gusts of passion or ill temper.

Anne Price, the prisoner's aunt, observed his conduct at the supper-time above-mentioned; his behaviour was very different from what it usually was; he appeared very low. When he was nursing

witness's child, he threw it to a great flurry, and not with usual and tender care of child, of which he was very fond. The prisoner was mild in manners, dutiful and attentive to his parents and extremely gentle in his employment. That night the witness asked to see her home, but making no answer he stood silent and dejected. He used to see her at night on the like occasion.

Mr. R. Emery, a respectable farmer at Parham, stated, the prisoner worked for him for four years. He was an extremely good workman and very industrious and attentive labourer. He always bore the character of a civil, kind-hearted young man, and was never known to quarrel with any body.

Mr. Justice Bayley then summed up the whole of the evidence with great minuteness, and then turning to the defence which had been set up, told the jury, that they were of opinion that the prisoner, at the time he committed the dreadful offence imputed to him, was possessed of sufficient reason to distinguish right from wrong, he was amenable to the law for the act he committed, and the penal consequences which must follow conviction for that act must be visited upon his head.

The jury, after a few moments' deliberation, found the prisoner Guilty.

The learned judge immediately pronounced the awful sentence of death in a manner so impressive and pathetic as to leave every eye in court, holding out to the prisoner no hopes of mercy.

KING

APPENDIX TO CHRONICLE. 317

GSTON, APRIL 2.

on Side.—Murder.

Dean was put to the
ged with the wilful
f Mary Ann Albert, a
between four and five
on the 16th of Octo-
in, St. George's-fields,
her throat with a case-

lowing are the leading
nces of the case:—On
ening, the 16th day of
last, between six and
ock, the prisoner, who
ch-engraver, went, as he
in the habit of doing, to
nother of the child who
r the Elephant and
t. George's-fields, and
him to take tea; while
re he nursed and played
child until about six or
en he went away with
ert's brother, Williams,
n he was intimately ac-
and had been fellow-
e. They proceeded as
e Obelisk, when they
, and the prisoner re-
d took the child again
p, and put his hand in
t to get some halfpence,
he would go and buy
les for his little Mary;
ok the child up in his
asked her if she would
apple and many other
estions, such as, do you
do you know who I
He then went out with
, but being absent ra-
, the mother feeling
went out to see after
l on going into a court
house she met the
o reeled towards her,

and on her taking her in her
arms, the blood gushed from her
throat and the child appeared as
if she was expiring; a surgeon
was sent for, but his efforts were
fruitless, and in about an hour it
died. The prisoner wandered
about for three or four days, and
although every diligence was
used to find him, it was unsuc-
cessful. At length on the morn-
ing of Tuesday following, at
about five o'clock, he rapped at
the door of the watch-house of
St. Andrew, Holborn, and said
his name was Dean and that he
was the murderer, and he was of
course detained and taken to
Giltspur-street compter.

Mrs. Mary Albert, the mother
of the little girl, was examined
in support of the above state-
ment. When she beheld the
prisoner at the bar she burst into
an hysteric scream of horror, and
was for a long time incapable of
giving her evidence, until she was
relieved by a flood of tears. The
prisoner seemed evidently af-
fected by the agony in which she
appeared to be. On her cross-
examination she gave a very fa-
vourable representation of the
temper and disposition of the
prisoner, and that he was ex-
tremely fond of children, and par-
ticularly of the unfortunate in-
fant who had lost her life by his
act. On the evening in ques-
tion she observed the prisoner to
be very uneasy in his mind on
account of his want of employ-
ment, but he spoke in a rational
and collected manner.

Mrs. Sarah Williams, the mo-
ther of the last witness, on her
cross-examination described the
conduct of the prisoner on the
evening

Mrs. Albert, deposed to the circumstances connected with the above outline of the case. On his cross-examination, he said he had been fellow-apprentice with the prisoner, who had always conducted himself in the most friendly manner towards him and his family. Witness and the prisoner had lodged together for a long time; he knew the prisoner was unhappy in his mind on account of a young woman with whom he kept company, whose father had forbidden any further intercourse.

Joseph Myatt, the watch-house keeper of the parish of St. Andrew, Holborn, proved, that early on the morning of the 20th of October the prisoner surrendered himself to justice at the watch-house. He appeared in a state of great agitation, stating that he had been induced to surrender himself in consequence of his having heard a sermon at the Tabernacle in Moorfields; that he had wandered about ever since he had committed the horrid deed, and was unable to hold

APPENDIX TO CHRONICLE. 219

I felt that I could not
py in this world without
d determined to leave it.
hts of a dreadful descrip-
tered my mind, and must
roceeded from the Devil.
that I should leave the
in a state of happiness if
d murder her, and deter-
to perpetrate the deed. I
en from home two days,
is not being very brisk,
Friday evening I called
Williams at Mrs. Albert's,
both came out together
lked in company as far as
rey theatre. We did not

I told Williams that I
to see a gentleman in the
gh and should go that
We parted, and I returned
t Albert's. After talking
ery friendly manner with
nily I asked for a knife,
y, supposing that I wanted
some bread, gave me a
ife. I took an opportu-
concealing it unperceived
pocket. I shortly after
out with the child to buy
ne apples, which having
returned to the court. A

thought came over my
that if I murdered the
who was innocent, I should
nmit so great a crime as
dering Sarah Longman,
is older, and as I imagined
is to answer for. In a
t I pulled the knife out
pocket, put the child
out of my arms, held her
back and cut her little

In an instant I imagined
vas in the midst of flaming
d the court appeared to
e the entrance of hell. I
ay, not knowing where I

went or what I did; I wandered
about in a state of distraction
until I surrendered myself up at
the watch-house."

The prisoner, who during the
course of the evidence above-
mentioned appeared to be in a
kind of idiotic stupor, being
called upon to make his defence,
merely said in a wild manner,
that he was not guilty.

A great many witnesses were
then examined on his behalf to
prove a case of insanity. Among
others were, James Longman,
the father of the young woman
to whom the prisoner had been
attached; George Cass, a watch-
motion-maker; Ann Keys, Eliza
Campbell and Maria Tyrrell,
persons with whom the prisoner
had lodged; and the tendency
of their evidence was to show
that the prisoner, a few weeks
previously to the unfortunate
transaction in question, had been
flighty and low-spirited, in con-
sequence of his want of employ-
ment and having been forbid the
continuance of his addresses to the
young woman, Miss Longman.

The case went to the jury
under the learned judge's direc-
tion, and the prisoner was found
guilty.

ARCHES-COURT, MAY 20.

*Hayer, Falsely called Watts,
against Watts.*—This was a case
of nullity of marriage, instituted
by the wife against the husband,
under circumstances of rather an
unusual description. The parties
were married, by license at the
church of St. Marylebone, so
long ago as the 29th May, 1800;
Mary

Mary Hayes being then a spinster and about twenty years of age. The warrant for that license described the intended marriage as being about to take place with the consent of Sarah Church, widow, the mother of the said Mary Hayes; and it was accordingly solemnized, Mrs. Church assisting at the ceremony. The ground of the present suit, however, was, that in point of fact, no legal consent was ever given: the father of Mary Watts, long supposed to be dead, being at that time living, and Mrs. Church, *ci-devant* Hayes, being consequently not a widow as she had described herself.

The learned counsel for the husband, Mr. Watts, conceived that the most proper course for them to pursue, was, to submit the facts as proved, without any other comment; then the evidence would show that Mr. Watts was not a party to procuring the license, and was not aware until the citation in this case was served, that there existed any informality in the marriage.

Sir John Nicholl remarked, that the circumstances connected with this suit had something peculiar in them: for it was, contrary to the usual custom, one brought by the wife against the husband, and on account of her own minority; the marriage not clandestinely nor secretly had, but with the consent of the minor's mother, who supposed herself at the time to be a widow. It turned out, however, that the father, for some years reported to be dead, was then living, and had since indeed been examined as a witness. He was the only person,

according to the act of parliament, who could legally consent to the match; and if the terms of that act were not complied with, notwithstanding that the parties had lived together for 18 years, it was in point of fact a nullity. Now, the minority of the lady, by the deposition of several witnesses connected with the family, was put beyond doubt. The father left England in 1780 for America. He resided for some time at Halifax, in Nova Scotia, which place he quitted and returned to England in 1790. In the interim his wife and children, who lived in the house of his uncle, heard nothing of him and concluded that he was dead. A person named Clark arrived from Halifax, containing the intelligence of Hayes' return, and married Mrs. Hayes, who did not herself communicate to him on his arrival what had taken place. The affair was, however, made known to him previous to some negotiations entered into with him to execute a bond for his wife, then Mrs. Church, entitling her to receive some fund of property under the will of the late Mr. Adams, who had left her one or two legacies of that nature. Hayes, after a stay of several months, returned once more to America, and was never heard of again until April, 1814, when he was understanding that a nephew, John Hayes, esq. commanding the majesty's ship *Majestic* at Halifax station, he addressed a letter to him informing him of his being in good health, &c. dated from the town of New Brunswick, Nova Scotia. Of course the marriage was

da

APPENDIX TO CHRONICLE. 221

ter had been celebrated it even his knowledge, and absolute belief that he was living; his wife, who had acted a second marriage, lost her second husband, calling herself a widow, had that consent which was, in illegal; and although the plaintiff appeared to have acted in error and under misimpression, the prayer of the plaintiff must be granted; and accordingly pronounced marriage null and void.

COURT OF CHANCERY,
WEDNESDAY, JULY 21.

Gordon v. Gordon.

It was a case which had been pending in this court, and it was a litigation between two brothers as to an agreement entered long ago as 1790. The facts of the case were shortly these:—The plaintiff, Harry Gordon, is an illegitimate son, as compared with the defendant James Gordon, and brother yet older than him—named Peter. The father and Peter also soon after intestate. A doubt now arose as to the legitimacy of Harry; and it being generally understood that he was actually illegitimate, his younger brother, who is a barrister, entered an agreement with him to give him an annuity out of the estate, which of course would fall to the defendant who was legitimate—a public marriage having taken place before his birth. This agreement was dated 1790, but

it subsequently came out, that in fact, a private marriage had been celebrated by the parents of Harry previous to his birth, and previous to the public ceremony; the consequence of this was, that if no agreement had been entered into the whole property would have fallen to Harry, who was now the legitimate heir at law. The legitimacy of the plaintiff had been established by the verdict of a jury; and now an application was made to set aside this agreement, under the peculiar circumstances of the case. Counsel having been heard at length on both sides,

Mr. Heald was this day further heard in reply, and read many letters which had passed between the parties previous to the agreement of 1790, as evidence to show that the plaintiff knew nothing of the private marriage by his parents, and that the defendant was well acquainted with the fact, previous to making the agreement. He also endeavoured to prove from the same documents, the strong desire of the plaintiff not to stir matters so delicate to his mother, who was still living, and to prevent the publication of her disgrace to the world. There were then two questions most material for the consideration of the court:—1st, Whether there was any suppression of any fact wilfully or intentionally by the defendant, in making this agreement? And, 2dly, Whether there was such a mistake, either on one side or on the other, as would induce the court to set the instrument aside? He contended, that all the evidence tended to prove

prove the fact of the ignorance of the plaintiff of any private marriage having taken place.

The Lord Chancellor considered this as one of the most important, and at the same time one of the most distressing cases which had ever come under his notice, sitting in a judicial capacity. The questions here to be decided were twofold. If both the brothers were ignorant of the private ceremony, that was one question; but if one of them was acquainted with the fact, and either from design or inadvertency did not communicate it to the other, then there would be no difficulty in deciding the point. He wished, however, before he gave his judgment, to call for the inspection of those letters and papers which had for the first time been now produced in evidence. With regard to the evidence already introduced in the case, he had read it with much attention, and he had come to the opinion that Dr. Hogg, General Adam Gordon, the mother of the parties and the sister, had all perjured themselves if the fact were untrue that the defendant knew of the private ceremony of marriage previous to the agreement being entered into. His lordship at considerable length entered into a minute detail of the principal facts of the case, commenting as he proceeded on each feature, and finally postponed his decision until he should have carefully read the additional evidence produced.

Ultimately, his lordship decided that the agreement must be set aside.

JAMAICA,

WEDNESDAY, JULY 1

*The King v. John Hudson
John Jones.*

The court having been called on to give the names of the parties to appear called over, a grand jury sworn, his honor the presiding judge delivered the following charge:—Gentlemen of the Grand Jury,—We are enabled by virtue of his Majesty's letters patent for the purpose of trying offences committed on high seas. It appears by the evidence that your attention will be principally called to the investigation of a charge produced against two persons for the violation of the acts of parliament passed in the 47th and 51st years of his present majesty, for the abolition of the slave-trade. The first of those acts this year the first of those acts this year of traffic was declared to be illegal, was abolished, and prohibited among British subjects under the pain of penal penalties. By the second act the crime was declared to be a capital crime, not, however, of a capital nature, but subjecting the offender to transportation or confinement. [His excellency here recited the words of the act, which provided the punishment for the offence under consideration to be transportation beyond seas for not exceeding 14 years, or imprisonment and hard labour for a term not exceeding five, or less than three years.]—Germany many years have elapsed since the wisdom of the imperial legislature, after a long and arduous deliberation,

delib

APPENDIX TO CHRONICLE. 223

ation, declared itself upon interesting and important. Whatever might have the doubts and difficulties fatal to the measure in its (from the real or superintendence of these colonies), regulation on the question has not been at rest. The law has been used and been obeyed. I gentlemen, that the law has been obeyed, because I conceive it to be inconsistent with the of the present occasion to call to your attention, that our island legislation has gone hand in hand with that of the mother country in the local regulations in aid of the abolition laws. This very thing is itself in some demonstration, that a desire to violate or evade them is no part of the character of the inhabitants of this colony. It is the first time that there has been an occasion to institute a prosecution similar to that which we are now engaged in. I cannot disregard so serious an occasion as the present, by declaring my implicit confidence, that in Jamaica those who have been strictly and scrupulously fulfilled. The length of the trial which I have here in public station, must have afforded me the means and opportunities for observation; and it is by the experience and information thus obtained, that I feel bound to make this declaration. Your experience and full knowledge of the laws of the island is unnecessary to expatiate upon the nature of the duties attached to you as the grand inquest of the country. You are

well aware, that in the investigation of offences, it is your province to hear evidence on the part of the prosecution, and to inquire whether there be sufficient cause to call upon the party accused to answer it. You will have the goodness for the present to withdraw, and the indictment will be laid before you with as little delay as possible by the officers of the crown.

Friday, July 30.

The court being formed as before, with the exception of six H. Popham, and the prisoners being put to the bar, his honour the judge of the Vice-Admiralty court delivered the following address and sentence:—

“ John Hudson and John Jones, —You have been indicted and found guilty of carrying away and removing, and also of detaining and confining, 44 persons, for the purpose of their being sold, transferred, used and dealt with as slaves by importation, into this island or elsewhere. And you, John Hudson, have been separately indicted and found guilty of having taken the charge and command of, and embarking on board of a schooner called the *St. Antonio*, as master, you well knowing that such schooner was to be employed in an illicit traffic in slaves. You have had the advantage of every assistance in your defence, and of a trial before a most respectable and intelligent jury. The evidence produced against you was unimpeachable in regard to the character and demeanour of the witnesses, and irresistible as to the clearness

...this island any longer
draw you to our shores, but
appear to have rashly come
unseduced and uninvited,
from meeting with encour-
agement when you first landed
the north-side of the island.
John Hudson, were repelled
the person to whom you cla-
timely applied for the disposal
your cargo, and admonished
the peril in which you stood.
excuse has been alleged for
intrusion into this colony,
you were diverted from another
destination by necessity and
mine. Were this allegation true
it would not have been a full
exculpation; for it was a felonious
act in you both, as British sub-
jects, to have engaged in a trade
in slaves of whatever nation
character. It appears in evidence
against you, John Hudson, that
you disregarded the warning
which you had received at
natto-bay and approached
Calessa, there again offering
Africans on board your schooner
for sale, and avowing your resolu-
tion to continue along the coast.

PPENDIX TO CHRONICLE. 226

ted himself ill, ordered
t of the house. This was
1 or 12 o'clock at night.
isted on his clothes and
es : Mr. O'Brien, in order
ove Vale from before his
where he persisted to con-
emanding his wages, sent
ace-officer.

ks and Filer, two peace-
attended at the request
O'Brien. The prosecutor
ed too obstinately, most
ly, to keep his situation
used to retire. At a mo-
hen Vale stood altogether
ured for any such violence,
ndant struck him a blow
nt, so dreadful, that he
the ground in a state of
ility. Horrible, indeed,
en the consequences of
actured jaw, a concussion
brain, leave this young
readful object, a decrepit
on society, a creature
in body and intellect.

irst witness examined was
Brooks—In March last
nt for to Mr. O'Brien's.
about half-past one in the
g. Vale was then stand-
fore captain O'Brien's
n the road. I went into
se. He asked me if I was
stable, and insisted on my
up Vale. I said, can you
n up, Sir, without paying
wages? He said, Mr.
and I intend to swear
ce of him. Brown, Filer
then went to take him, as
ht, but Mr. O'Brien said,
hree won't be able to take
you had better take us
u." When we got into
d, I said to Vale, " Mr.
sent for me to take you

LXI.

up." He said he had done no-
thing to be taken up for ; but if
Mr. O'Brien would pay him his
wages he would go. He was
still very civil and quiet ; he said
he had more clothes in the house.
Mr. Simpson asked what things ;
and Mr. O'Brien sent in for them
and put them into Vale's box and
locked it. He then said he would
go peaceably and quietly if they
would give him his wages. Then
the plaintiff gave up the key to
his master and said, " You have
been a very good master, Sir ;"
and Mr. O'Brien said, " You
have been a very good servant."
He, however, still said he would
not go without his wages. Mr.
O'Brien insisted that we should
take him up and have him before
a magistrate. We then proceeded
to take him up and drew up to-
wards him. Plaintiff drew back
a few yards and said, " You five
shall not take me, for I have done
nothing to be taken up for :"
he then made a step or two forward.
At this moment Mr. O'Brien
struck him ; it was with a stick
nearly as large as the small of my
arm, about two feet long. He
struck him on the head. Vale
fell. O'Brien was down on his
body instantly. Simpson held
his head whilst O'Brien tied his
hands. Vale said, " For God's
sake do let me get up, or pull
your fingers out of my eyes."
His hands were tied over his
chest. O'Brien said, " Fetch the
cords." They put the end of the
cord between his legs. James
Brown took one arm, O'Brien
took the other. When he got up
he was able to walk, but he said
his head was very bad. We led
him nearly a quarter of a mile.

Q

As

not more powerful than any other man. Vale made use of no such expressions as—that he would cut his way through a dozen of us. When Vale advanced, although it was in a direction towards us, it was not at all in a menacing posture to captain O'Brien; indeed, he rather drew near us than him, as captain O'Brien was on one side.

William Yorke keeps the Globe at Wells. Vale was very ill indeed. I got him a cup of tea, but he could not eat any thing; he continued with me from the 17th of March till the 26th of May, or rather to the middle of June. He was attended night and day for three weeks by nurses and constant attendants. Mr. O'Brien would not pay the bill. Vale gave me what money he could for my attention.

Mr. Sweeting, surgeon, called in to see Vale. Found him seated in a settle, his eye black, a wound on his neck and blood on his clothes. He complained of dreadful pain in his head. The jaw was fractured.

APPENDIX TO CHRONICLE. 227

he had once been turned as it was admitted that he and urged that the sending of peace-officers was a proof of the propriety of the defendant's action. Mr. Moore then called Mr. Heele, who was proceeded upon to depose to what had passed of the violence in question, such evidence of what had preceded the constable's arrival objected to. The assault was not to be considered as a continuation of any former violence, the evidence which the constable had given, that on his going up he found the plaintiff gentle and peaceable. It was held that the evidence was not admissible, except in mitigation of damages. Justice Best, understanding this period of the cause, no agreement had been come to between the parties that a verdict should be taken for the plaintiff for 200*l.* declared that he was in thinking nothing could be done in this violent assault. Verdict (by consent) for plaintiff—damages 200*l.*

WEDNESDAY, TUESDAY, AUG. 3.

Ex v. Scammel.—Mr. Sergeant stated this to be an action brought to recover damages for a base and unjustifiable libel. Plaintiff, Sophia Stak, was a young woman only 22 or 23 years of age, of the most irreproachable character; and though reduced to the situation of a domestic in the family of the defendant, she was descended from an old respectable family, and

her connexions were still of a grade in life much superior to that which she had been compelled to fill. The defendant was a professional man residing at Plymouth. Without the slightest reason, the defendant had dared to publish of the plaintiff the following false and scandalous hand-bill, which he circulated most extensively:—

“Plymouth, May 20.—5*l.* Reward.

“Whereas Sophia Stak, my servant, absconded from my house yesterday evening, and is supposed to have stolen some of my plate; whoever shall apprehend the said Sophia Stak shall, upon her conviction, receive the above sum of 5*l.* She is about 25 years of age, stout and fresh coloured; whoever harbours her shall be prosecuted according to law.”

The first witness was an officer in the mayor's court, Plymouth. He remembered the plaintiff and defendant being both present before the mayor on the 29th May last. The former had been charged by the latter with stealing his spoons. The hand-bill in question was shown to the defendant on that occasion, by his attorney: defendant said it was printed at his request. It had been stuck about the town of Plymouth. Plaintiff gave herself up: she was not in the custody of a constable. Scammel said he had lost 2 spoons. Plaintiff denied having taken them. Witness searched her lodgings, but could not find them. He accused her of absconding from his service: she replied, that he had had intercourse with another woman

man in the absence of his wife, and that she left his service solely on that account. On his cross-examination witness said, that he must have known if any one had taken her in custody; that he did not recollect the plaintiff's charging her with taking away her trunk through a window, or of his reminding her that he had forbidden her to go that evening.

A young lady, of a very respectable appearance, remembered plaintiff's applying to be taken into her service on the 22nd May last. She had declined her offer on account of her being accused of theft.

Another witness, Southerlands, said that the plaintiff slept at his house when she quitted Scammel's service, but that he had ordered her to leave it for several reasons. One was, that he was liable to a prosecution for keeping her; another was, that he did not choose to harbour a thief, and that he had reason to fear he should offend Scammel.

Caroline Fryer resided in the defendant's house at the time plaintiff was there. In point of fact, knew the cause of her going, but does not think that her intention was known to the defendant. The latter ordered her not to go; he told her that as she had endeavoured to ruin him and Mrs. Wright, he would give her a character. The witness said, she went away at the same time and did not return. The plaintiff often complained to her of the defendant's cruelty in attempting to take away her character by saying she had stolen plate. Witness left her place on account of

a circumstance which had opened on the Sunday, the which was the cause of the plaintiff's going away.

The apprentice girl was one who proved that the plaintiff's box was given her out of the window; that her master told her she missed two small spoons and some salt-spoons immediately afterwards. She said, she had not seen them for a long time before; that he was not in the habit of using them; that she told her master 3 out of 4 spoons in use were in the box-board, and that she had washed the other two in the morning for the use of the family. She was present when plaintiff packed her box: there was the shadow of suspicion that she had stolen any thing.

Mr. Baron Graham ably summed up the evidence to the jury. He observed, that absence seemed to insinuate a flying jury—an attempt to get justice from its reach. Was this the case here, where the plaintiff seemed to have voluntarily surrendered herself? The learned judge very strongly alluded to the absence of the defendant when the plaintiff was present before the mayor, and his suffering her to be discharged without following up his accusation with a prosecution. There was not a tittle of evidence to prove any thing lost ever whole appeared to him an excusable attempt to ruin a person's character, and then to cover the infamy of one by the commission of another. The jury returned their verdict immediately.—Damages 20

APPENDIX TO CHRONICLE. 229

FRIDAY, AUG. 6.

Order.—The King v. Frances alias Puttavin.—This case cited considerable interest, the circumstance of the indicted criminal having been before indicted and tried for the same offence. On the indictment she was acquitted, in consequence of the name of the child she was supposed to have murdered being stated to be George Clark, instead of George Clark, by which name it was supposed to have been christened. On the second indictment, stating that the child had been occasioned to die by poison having descended into the stomach, was thought to have been supported by the evidence of the professional witnesses who were examined, and stated that no part of the child had so descended into the stomach, but that the inflammation caused in the throat had, by the child's cough, occasioned the death of the child by suffocation. The first indictment charged her with murder, by compelling the child, on the 4th October to take a large quantity of vitriol, by means whereof the child came disordered in his head and throat, and by the child's cough, choking, suffocating and strangling occasioned thereby, on the following day. A witness counted stated him to have taken a certain acid called oil of vitriol, administered by the prisoner and taken into his mouth and throat, whereby he became incapable of swallowing his food; at his death was the consequence of the inflammation, in-

jury and disorder occasioned thereby.

Upon the prisoner being arraigned, she pleaded specially her former acquittal. The clerk of assize demurred to the plea. The prisoner joined in demurrer.

Mr. Justice Best.—My own opinion is, that the plea is bad; but as the two judges at the former trial thought the evidence adduced not admissible under that indictment, I shall follow this course—I shall over-rule the plea and pronounce a judgment of respondent ouster. If she plead not guilty, she may have a writ of error to the court of King's-bench, or otherwise I will submit a case for the opinion of the 12 judges.

The prisoner then pleaded "Not Guilty."

William Veysey was the first witness called. He stated that he was a labourer at Buckfastleigh; that the prisoner lodged at his house in the month of October 1817: that 3 weeks before the 24th, prisoner was brought to bed of a boy. Witness recollected the prisoner passing through his room into her own, about two in the afternoon of the 24th, with her child; she stayed a minute or two and went down stairs without her child: returned in a minute or two at farthest; he heard her cry, "The child is dying," a minute or so after her return: the child had not before been crying; it cried as if strangling: she repeated the child was dying; prisoner went down again with her child and returned. The child was a healthy child.

Sarah Maddick lived with Susanah

prisoner not to drink it, or
would kill her. Witness to
that to prisoner: she said, "N
no." Prisoner told witness n
to tell Susannah Veysey that sh
had been for oil of vitriol. Whe
she went to the shop, she told he
to say it was for the people of th
house.

Sarah Tapper is the daughter
of the first witness; recollects
seeing prisoner at six o'clock in
the morning of that day; again
between ten and eleven; prisoner
was by the fire suckling her child,
nothing was then the matter with
the child. Prisoner said she had
a nice bosom of milk to go a wet-
nursing, if her child should die:
said, if her child died she would
dry up her milk and go into the
country: said she was going to
have her order next day, but did
not think the child would live
long for any order. Witness went
to work, returned about half past
twelve. Prisoner was then sit-
ting in the same place; witness
asked prisoner why she had not
dressed the child; she answered
the child had

finger to it; and put my finger to my tongue; it burned my tongue. said, What have you done to your child? you know you have given it oil of vitriol: where you said it I know not. Prisoner did not answer. The child was three weeks old; up to that time it was quite healthy. Child died the next day about twelve o'clock. I know about oil of vitriol. I found a bottle in the fire the Tuesday after. The bottle on taking out broke, and the liquor was spilt on a stick which was in the fire: it burned the stick. I found vitriol in the bottle.

Richard Butcher, a druggist at Buckfastleigh, corroborated the evidence of Sarah Maddick, and added, that the oil of vitriol she took away was sufficient to cause death.

Thomas Rowe.—I am a surgeon at Buckfastleigh; was called to Veysey's house at a quarter after two to see the child; it looked as if it had been strangled: the mouth was burned and excoriated; some white liquid ran from the lips: remained twenty minutes; attended again at half past seven, and next day the child was very bad and convulsed all over. I impute the state of the child to the application of some acid. Oil of vitriol would produce the same appearance. I ascribe the death to suffocation from swelling of the throat.

Nicholas Churchill.—I am a surgeon at Buckfastleigh; was called to a child at the house of William Veysey at four o'clock in the afternoon, 24th October: found the child breathing with difficulty, unable to swallow; the whole surface of the body was

livid; the surface of the mouth destroyed by strong mineral acid: from the appearance of the nose I am convinced it was oil of vitriol. While the matter was fresh in my mind, I tried oil of vitriol on my own finger; the colour was exactly the same as that on the child. Oil of vitriol, if dropped on linen, would destroy the texture, would turn it brownish; the apron was checked, blue and white, and was turned red. The dye of the blue is indigo, and the natural effect of oil of vitriol would be to turn it red. I think a person might distinguish oil of vitriol from other acid. I think the child died from inflammation, causing swelling and suffocation, that was occasioned by application of a strong acid, which I believe to be oil of vitriol.

Prisoner put in a paper denying her guilt.

Mr. Justice Best observed, that a charge of murder must be considered as proved, where the death is occasioned by the act of the prisoner, unless the evidence is sufficient to reduce it below that degree of crime. The only question here is, not the degree of guilt, but whether the child died by the act of the prisoner. If the evidence now adduced could have been adduced under the former indictment, then she has once been tried, and cannot be tried again; but this is a question to be submitted to the twelve judges. The question for the jury was, Did the poison, by the means stated, produce the death of the child?

The jury, after a pause of a few minutes, pronounced a verdict of *Guilty*. Objections were then

This was an indictment against the defendants, for a conspiracy to obtain the condemnation of a sloop called the Judith, William Williams master, by falsely alleging that the said vessel was employed at Arundel in smuggling foreign spirits.

This was one of those infamous cases in which the excise have been deceived by the mercenary statements of certain persons, for the purpose of instituting informations in the court of Exchequer for their own benefit, and ruin of the unfortunate victims of their depravity. It appeared in evidence that the defendants had given information upon affidavit before Mr. Boddington, a commissioner, that the vessel in question had been engaged in smuggling at Arundel on the 26th of June, 1816. Upon this information proceedings were instituted in the Exchequer, and the vessel was condemned. It turned out upon subsequent investigation that there was no foundation for the information, and the Excise being satisfied of the fraud in-
posed

APPENDIX TO CHRONICLE. 233

with the prisoner priming his clock. It frequently happened that when a soldier wanted to light his pipe, he flashed some powder in the pan of his firelock to ignite some tinder; but the prisoner did not appear to mind the smoke, witness laid down his firelock and asked whether he was going to injure himself? He replied that the firelock was his own, and he was not so mad as to injure himself.

Witness took the gun out of his hand, shook the powder from the pan, and laid the piece down at a distance of about four yards from the prisoner. The prisoner never touched the piece. A non-commissioned officer came to take him to the evening parade, when he took his firelock from him.

Thomas Vizer, a private in the regiment, stated that the prisoner was confined in the guard-room by the deceased between seven and one o'clock on the evening of June 29th. Witness saw him in the guard-house walking up and down in a very agitated manner, flinging his hands about in a menacing and passionate manner, and heard him say, "If I go to the evening parade this evening, it shall be worse for serjeant than I am."

John Thomas, a private of the regiment, said he had just left his barrack-room to attend the evening parade on the 29th of June, when he saw the prisoner coming out of the guard-room with his firelock.

Witness was standing six or seven yards from him. The prisoner was standing in front of a company with his back to the prisoner, the latter

being at the distance of about three or four yards from him. When the deceased was in the act of turning round, the prisoner raised his firelock to his shoulder and discharged it at him. The deceased dropped to the ground, and exclaimed, "My God, my God, I am shot." The serjeant-major came running out from the guard-room and asked "Who was it?" The prisoner answered "It was I, I am the man;" and said no more, but surrendered himself into custody.

Corporal James M'Cabe said, that he came immediately to the spot after the gun was fired and lifted the deceased up; he died in about twenty minutes. Witness took the prisoner into custody, and in his way to the guard-room said to him, "Are you not a terrible man for doing such a thing as this?" The prisoner replied, "I am not, for the serjeant was always tyrannizing over me, and I was determined he should not do it any more."

When each of these witnesses were examined in chief, the prisoner, being without counsel, was asked if he would put any questions to them, but every time he shook his head in a melancholy manner, and said "No."

Being asked what he had to say in his defence, he said nothing, but shook his head in like manner.

Mr. Justice Park, in his charge to the jury, said it was always of great importance that the proceedings in cases of this description should be as public and notorious as possible, it being much more satisfactory, for the purposes of justice, that the grounds upon

upon which the court and jury decided should be well known; and it was therefore that his lordship was anxious that the unhappy man at the bar should have the opportunity of having his case fairly and impartially tried, by urging him to retract his plea of guilty. There could be no other inference drawn from the evidence they had just heard than that the prisoner was guilty of the crime of murder. The unhappy man at the bar seemed to have had a mind extremely sensible and irritable; and because the deceased, in the faithful discharge of his duty, had put him under arrest, he meditated the fatal revenge which was carried into execution as detailed in the evidence. The case was before the jury, and they would dispose of it according to their consciences.

The jury immediately found the prisoner Guilty, and he struggled with his feelings to preserve some degree of firmness during the solemn proceeding which followed.

Mr. Justice Park proceeded with difficulty to discharge the melancholy duties of his office. Adverting to the prisoner's unfeigned sensibility, he said he should not aggravate the distress of his mind by enlarging upon the enormity of the crime for which he was about to suffer, conceiving that he was duly impressed with a consciousness of the dreadful sin he had committed; but in the language of commiseration and entreaty, he urged him to employ the few short hours left him in this world in devout application to that tribunal from which alone he could

expect mercy. His lordship pronounced the dreadful sentence and ordered the wretched criminal for execution on Friday morning and that his body should be delivered over to the surgeons to be anatomised.

The prisoner, during the condemned judge's impressive address to him, was dreadfully agitated; at the conclusion he fell in the arms of the gaoler and his attendants in a paroxysm of grief.

TRIM ASSIZES, AUG. 1

Arson.—Patrick Murphy was indicted, for that he, with others, on the 23rd of January, after sun-set, and before sun-rise the next day following, assaulted and injured the dwelling and habitation of Andrew Golden at Longwood, in the county of Meath. He was also indicted, for that he, on the same occasion, wilfully set fire to and consumed the dwelling-house and other effects of the said Andrew Golden.

The first witness examined was Maria Golden, the daughter of Andrew Golden. She swore, in substance, that on the night of the 23rd of last January, after having had been for some time in bed, she was awoken by a noise she heard on the outside of the house; that upon awaking she found the window of the room in which she and her mother slept broken; that she heard a shot fired, and voices from without calling to her mother "Hand on the arms, you old rip;" that her mother, to repeated commands of the same kind, constantly answered that she had no arms.

specting one of the persons on the outside, witness said to her mother, "That's Patrick Murphy, of Longwood, that is speaking to you;" on which the witness's mother said, "Hold your tongue; if he thinks you know him, or hears you mention his name, he will come and murder us." The party then departed for a short time, but soon returned, one of them with a lighted turf in a small tongs, which he held up to the window, denouncing vengeance in consequence of the family having had any thing to do with Neal's ground. Witness described the dress of the prisoner, and particularly a hairy cap he wore: that hearing threats to burn the house she ran in terror to a back window in order to effect her escape, when she saw the out-offices all on fire; that witness gave the alarm to her mother and immediately afterwards jumped out of the front window, and that she saw the prisoner standing a short distance from her father's house. She afterwards, upon her cross-examination, explained herself by saying it was his back she saw and not his face; that witness went for safety to the house of a neighbour; and shortly afterwards the whole party, after giving a loud cheer, went away. The house and offices were entirely consumed. Witness was acquainted with the prisoner, and knew him a considerable time before.

Elizabeth Golden, the mother of the last witness, was next examined. She gave a very circumstantial statement of the outrage; the firing of shots into the house, and the fracture in consequence

of some small articles of furniture; corroborating her daughter in every particular, and identifying decidedly the prisoner as one of the banditti.

A young woman of the name of Kinselagh, and who was a neighbour of the prosecutor's, was also examined; but she could only speak as to the prisoner from his voice, which she believed to be his.

A man of the name of Plunkett was next examined. He was in the house the night it was attacked and burned; did not see prisoner, but swore to him from his voice, with which he had been perfectly acquainted. The different witnesses were ably and ingeniously cross-examined by the prisoner's counsel, Messrs. M'Nally and Greene. The delay in swearing information was very powerfully urged, but explained and accounted for from the influence of terror; that as soon, however, as major Willis came to the country they felt assured of protection and safety; that they thereupon came forward and lodged examinations.

Baron George gave the jury a most clear, accurate and impartial charge, who, having retired for about a quarter of an hour, returned a verdict of *Guilty*.

An extraordinary incident occurred during the trial. After Plunkett had been about a minute under examination, his wife (from among the crowd) exclaimed to him in a sort of shriek, plainly indicating the agony of her mind and her terror as to the probable consequences, not to say any thing to injure the prisoner. He, however, persevered, and stated

...ever, escaped un-
from the flames.

On Saturday last, Murphy
ceived sentence of death w
three other offenders, who h
been also capitally convict
during the assizes.

COURT OF CHANCERY, MONDAY
AUG. 23.

The Bedford Charity.

The Lord Chancellor, on com-
ing into court, proceeded to deli-
ver judgment in this interesting
case. He stated that the matter
came originally before the Court
on the petition of Joseph Lyon
and his daughter Sheba Lyon, re-
siding in Bedford, and also of
five elders of the Jewish Syna-
gogue in Duke's-place, London,
praying that the children of Jews
residing in Bedford might be ad-
mitted into the charity school of
that place; that Jewish parents
might be allowed to live in the
alms-houses attached to the
Bedford charity; and that the
petitioner, Sheba Lyon, might be
permitted to do so.

APPENDIX TO CHRONICLE. 237

were to send in their *Christmas* names and the names of parents to the mayor, and afterwards to draw lots for portions. Another sum of was to be laid out in pay-
e apprentice-fees of 20 n, 15 boys and 5 girls; and acts of this charity were elected by lot in the same as the candidates for portions. The act also the establishment of almshouses for the reception of 20 persons, 10 men and 10 , who were enjoined to go Sunday to some place of worship in Bedford on pain of exclusion from the charity. The next adverted to a of Isaac Lyon Goldsmid, who stated himself to be of Jewish nation, and to belong to a synagogue of Dutch and Jews in London. This he wrote to the Mayor of Bedford, wishing to be informed if there was any truth in the report he had heard, that the Jews of Bedford were to be deprived of the benefit of the charity; and in his letter by expressing his hope that in this liberal and enlightened age the question, whether a man worshipped his God in a church, a chapel, or a synagogue, would not be considered a ground of exclusion from a charitable institution. This usage of the letter reminded the Mayor of the remarks which he had made by the bar on the subject of toleration; and what might be his opinion of the subject expressed by the Mayor he apprehended, when an alderman judge was told that it was no moment whether a man

worshipped God in a church, a chapel, or a synagogue, that it was his duty to recollect, that Christianity was part of the law of the land. He was not, indeed, to push that part of the law in such cases as the present further than the acts of parliament required; but as far as the acts looked to Christianity as a part of the law, it was his bounden duty to consider it such. But to resume. The mayor of Bedford, in his answer to this letter, stated that the trustees, to resolve their doubts, had taken the opinion of an equity barrister of great eminence; that by his advice they had resolved not to admit Jews to the benefit of the charity; and that they left it to the parties to apply to the Chancellor if they thought themselves aggrieved. This accordingly produced the present application to the Court. The first question to be decided was, whether Jew boys were to be admitted to the charity school; and in determining that point, it was proper to bear in mind that this school was originally founded by Edward 6th as a grammar-school. He believed that in all such schools great pains were taken to educate the youth in the doctrines and principles of the Christian religion; indeed, he himself remembered the time when, in some parts at least, the boys at grammar-schools were attended to church on Sundays by the masters. Now, as to the practice at this school there were various affidavits on both sides. The first, in support of the application, was that of Michael Joseph, a Jew, who stated that he had two sons and seven daughters all

poor virgins. It appeared in this deponent's affidavit, that no Jew had ever been admitted into the hospital or alms-house. There were also the affidavits of Joseph Lyon, Godfrey Levi and several other persons, to the same effect; and the result of all the testimony was, that as far back as 30 years ago, a few of these children had been admitted into the school, but that none of the Jewish nation had ever participated in the benefit of any other parts of the charity. The first affidavit on the other side was that of Dr. Bryan the master of the grammar-school. He stated, that each boy attending the grammar-school was taught the Latin language, and that when he had made some progress in the study of Latin he began to learn Greek; that in studying the latter language, the Greek Testament was the book chiefly read till the boys had acquired considerable proficiency in the language, and that every boy in the school was instructed in the Christian religion. H

APPENDIX TO CHRONICLE. 239

pose of carrying on the school in such a manner as to preserve the *boni mores* of the Jews, which the charter required to be one of the principles of the school. Then, hours of attendance, and morning and evening prayers, it was possible for a Jew, conscientiously, to allow himself to comply with these and other regulations, which were necessary for him to enable him the whole, he could doubt that Jew boys were admissible into the school. The next point considered was, whether Jews were entitled to the same made for poor maids. The primary object of the charity, instruction in the religion, was there any warrant for him in saying that ought to be applied to all cases? He could not but see that the acts of parliament contemplated the admission of girls to this charity, in mentioning the regulations which the candidates must comply with, it was directed that if they should give in a Jewish name and her surname was aware it might be a Christian name did not really mean the name by which the person was baptized, but used in contradistinction to the Jewish. This he was ready to admit when the distinction was made to the names of a professing the Christian but still he thought that a name was something that belonged to a Jew,—to which a Jew could claim. He, therefore,

could not consider the Jewish girls entitled to become candidates for the portions of poor maids. As to the right of admission into the almshouses, it was evident that such a thing was never contemplated by those who framed the act of parliament, for there it was directed that the persons enjoying the benefit of this charity should go to a place of public worship on Sundays, or be expelled from the institution.

Mr. Heald begged to remind his lordship that the point here was not whether Jewish poor maids were to be admitted as candidates for marriage portions, but whether they were entitled to become candidates for apprentice fees.

The Lord Chancellor was perfectly aware of that, but the principle was precisely the same in both cases. The regulations prescribed by the act of parliament for casting lots, &c. were precisely the same in the one case as in the other, and therefore he did not think it necessary to go into the details of them all. It was his opinion that the Jews were not entitled to participate in any part of this charity; but that judgment being founded on a petition which had been argued, he did not mean that the order should be drawn up for a fortnight, in order that the parties might have an opportunity of communicating to him any remarks that they might think of importance.

His lordship directed the costs of the trustees to be paid out of the estate; and in answer to an application from Mr. Heald, for the payment of his client's costs also

also out of the estate, he said he must dismiss the first petition. In a case of summary jurisdiction like the present he could not give costs unless the act of parliament had authorized him.

COURT-MARTIAL.

At a court-martial held on board his majesty's ship Conqueror, in St. Helena-roads, on the 30th day of August, and continued till the 2nd of September, to try Mr. John Stokoe, surgeon of the said ship, for improper conduct with regard to certain particulars relative to his intercourse with the French prisoners detained at the island of St. Helena, and on the following charges:—

1st. For having, on or about the 17th of January last, when permitted, or ordered, by rear-admiral Plampin, commander in chief of his majesty's ships and vessels at the Cape of Good-hope and the seas adjacent, &c. to visit Longwood for the purpose of affording medical assistance to general Buonaparté, then represented as being dangerously ill, communicated with the said general or his attendants upon subjects not at all connected with medical advice, contrary to standing orders in force for the government of his majesty's naval officers at St. Helena.

2nd. For having, on or about the said day, on receiving communications, both in writing and verbally, from some of the French prisoners at Longwood, taken notice of, and given an answer to, such communications, previous

to making the same known to the commander in chief, contrary to the said standing orders.

3rd. For having, in pursuance of such unauthorized communication, signed a paper purporting to be a bulletin of general Buonaparté's health, and delivered the same to the said general or his attendants, contrary to the said orders and to his duty as a British naval officer.

4th. For having, in such bulletin, stated facts relative to the health of general Buonaparté, which did not fall under his, the said Mr. John Stokoe's, own observation, and which, as he afterwards acknowledged, were dictated or suggested to him by the said general or his attendants, and for having signed the same as if he had himself witnessed the said facts, which was not the truth, and was inconsistent with his character and duty as a British naval officer.

5th. For having, in the said bulletin, inserted the following paragraph:—"The more alarming symptom is that which was experienced in the night of the 16th, a recurrence of which may soon prove fatal, particularly if medical assistance is not at hand;" intending thereby, contrary to the character and duty of a British officer, to create a false impression or belief, that general Buonaparté was in imminent or considerable danger, and that no medical assistance was at hand, he, the said Mr. John Stokoe, not having witnessed any such symptom, and knowing that the state of the patient was so little urgent that he was four hours at Longwood before he was admitted to see

see

APPENDIX TO CHRONICLE. 241

and farther knowing that
ling was at hand, and
attend, if required, in
emergency.

For having, contrary to
communicated to gene-
aparte or his attendants,
on relative to certain
letters and papers, said
been sent from Europe
said persons, and which
intercepted by the go-
St. Helena; and for hav-
eyed to the said general
attendants, some inform-
specting their money
contrary to his duty,
as to afford medical ad-

For having, contrary to
and to the character of
naval officer, communi-
the said general Buona-
his attendants, an infa-
calumnious imputation
lieutenant-general sir
Lowe, governor of St.
by Barry O'Meara, late
in the royal navy, im-
it sir H. Lowe had prac-
the said O'Meara to in-
to put an end to the
of the said general Bu-

For having disobeyed the
command of his superior
not returning from
on or about the 21st
of aforesaid, at the hour
prescribed to him by
admiral, there being no
cause for his disobeying
mand.

For having, knowingly and
designated general Buona-
in the said bulletin, in a
different from that in
is designated in the act
XI.

of parliament for the better cus-
tody of his person, and contrary
to the practice of his majesty's
government, of the lieutenant-
general governor of the island
and of the said rear-admiral; and
for having done so at the special
instance and request of the said
general Buonaparte or his attend-
ants, though he, the said Mr. John
Stokoe, well knew that the mode
of designation was a point in dis-
pute between the said general
Buonaparte and lieutenant-gene-
ral sir H. Lowe and the British
government, and that by acceding
to the wish of the said general
Buonaparte, he, the said Mr. John
Stokoe, was acting in opposition
to the wish and practice of his
own superior officers, and to the
respect which he owed to them
under the general printed instruc-
tions.

10th. For having, in the whole
of his conduct in the aforesaid
transactions, evinced a disposi-
tion to thwart the intentions and
regulations of the said governor
and of the said rear-admiral, and
to further the views of the French
prisoners, in furnishing them with
false or colourable pretences for
complaint, contrary to the re-
spect which he owed to his supe-
rior officers, and to his own duty
as an officer in his majesty's royal
navy.

The court having heard the evi-
dence in support of the charges,
as well as what the prisoner had
to offer in his defence, and hav-
ing considered the whole with the
most minute attention, is of opi-
nion, that his conduct (with re-
spect to certain particulars rela-
tive to his intercourse with the
French prisoners detained at St.
Helena)

APPENDIX TO CHRONICLE. 243

I said before, those that mind to work might work, those who had a mind to stand to make a show of hands. They put up their hands. Either some other person said they be mistaken, and desired to put up their hands again. They might all do as they those that had a mind to might work, and those that might stand out for wages. And they might, when tired of, take a walk for a mile on the high road, but not over any man's grounds, or any man's property.

Phraim Maymond, a manufacturer, was, on the 7th, read adjoining the meeting; Watson there on a midden with several more. He addressed the weavers firm and to stick out for wages; he wished for once of 7s. in the pound on the present wages; he wished to show a firmness by a firm hands; and said, if they be firm they would gain respect; he wished them not to put up their hands, but to stick with it. There was a firm hands. A great many put up their hands. Watson asked them again to be firm to stand; they might class themselves in companies and be firm until they got their wages paid; if any one of his relations under 7s. advance, he would cut their yarn across; he said, "I don't say you do so; because, if I cut it I will see it again, and perhaps not." Watson went for a water and returned with a pipe putting it to his mouth,

said, "Gentlemen, here is all your good healths. This is Adam's ale, and I wish you to be firm." Watson then said, "You weavers, you think that we have a secret; and so we have, and we must keep it to the last: for, had our ministers told the army what they were for with them, they would never have gone to fight; they kept their secrets till they had got the armies together, and then they were obliged to fight. We must do the same." Watson ordered them to collect a penny a loom a week till they could collect a fund, and they might return peaceably home and choose every one a leader to their classes, and parade the streets till the advance of wages was obtained. Several persons spoke in the same way. There was a turn-out that day. The greatest bulk were weavers. Either that day or the day following witness's weavers turned out.

The defendant read a paper in his own defence. It represented, that those of the master manufacturers upon whom the defendant had waited, had agreed to an advance of 7s. in the pound, if the whole would agree to it. He had mentioned at the meetings, that the weavers in Bolton and Manchester had obtained the required advance, and that if they would follow the example, the effect would be the same. But he had stated, that he would act so for himself, and leave it to others to act as they chose. When he spoke on the 7th, there had been a partial advance, but it was totally inadequate, and the masters at the same time possessed every advantage over them. It

in Manchester. This he mentioned in order to show that he had left Blackburn before the riots took place.

Mr. Baron Wood summed up the evidence. The defendant appeared to have some art, and seemed to think that if there was no riot, there was nothing in his art proper. Upon this view he had advised not to touch the hem of the garments of the law. This kind of art would not, however, protect him, if he illegally and corruptly conspired with others. It was very true that a labouring weaver might refuse to work for another master; but he must not advise, excite, or encourage others to do the same. He did not know whether conspiracy was not more dangerous than open violence. The defendant had said some foolish thing respecting ministers. It might mean that they should preserve peace till they got the upper hand and then break out. If the jury believed that the defendant had conspired with others to force an advance

APPENDIX TO CHRONICLE. 245

ke alarm." She heard it
some one, "We'll kill
A nail-box was next
found in the house.

Cairns, a young girl of
desired to go to tell Mr.
but she was afraid and
go. She saw a light, and
Hagin and M'Coy going
stairs. They afterwards
their way into the room
icked down and strangled
Whitaker till the blood
om her mouth and nos-
she heard blows given in
ver's room, and afterwards
Mr. Oliver call out murder.
w other two of the pri-
M'Donald and Curran.

Oliver, son of Joseph
the prosecutor, slept at
her's house, next door to
er's, on the night of the
He was disturbed a little
in the morning. On look-
at the window he saw a
cing backwards and for-
etween his father's house
house he was in, and
him what he was doing

He said he would blow
s brains out if he said
word. Witness said,
away." He did fire, with
stretched towards him.
other of witness then began
k at the wall that separated
n from his father's. Wit-
mediately saw 6 men com-
quick pace in front of his
house. They went over
and one of them fired.
went to his father's
and found his father at-
g to come down stairs in
bloody state. He found
ther recovering. His fa-
d told him that he thought

she was dead. When witness had
been awoke by his wife, he heard
cries of "Murder," "Thieves,"
and a great confusion as if per-
sons were wrestling on the other
side of the wall.

Joseph Oliver, the prosecutor,
a fustian manufacturer at Ard-
wick, was awoke by the cry of
"Thieves" from the servants' room.
He went forward into the passage
between the two rooms. Some
men met him and began laying
upon him with some instruments,
drove him back into his own
room and knocked him down.
Afterwards he got up, threw up
the sash and shouted "Murder!"
A person immediately below the
window said, "If you make an-
other noise I'll blow your brains
out," and immediately fired. He
thought from his person that it
was Curran that fired at him. He
could not swear to him, but he
thought it was he from every ap-
pearance. They had two pikes
which they left; one of them had
a handle of old oak. He found
that the cellar-window had been
forced open, and the cellar-door
and back-door were broken open.
They went out at the back-door:
he missed a pair of stockings. A
surgeon was got; he had got
about 12 wounds: his head had
been broken almost to pieces:
his wife was struck at the back of
her neck as black as a man's
coat; he thought she was dead.

John Williamson, a weaver,
employed Hagin at the time;
M'Donald had left him some
weeks before. Hagin left his
house at the edge of dark, and
said, "I'll have my night's spree,"
(drinking). A nail-box pecu-
liarly formed and made by Hagin,

was the box found next morning at Mr. Oliver's. He believed one of the pikes found was his.

John Griffith was standing between 9 and 10 at his house in Chapel-street and saw Curran and M'Manus passing him: they looked as if they had not been in bed all night: he followed them in consequence of his suspicions: he traced them for more than 3 hours to their lodgings in James-street: he informed Nadin, to whom he pointed out the house.

Joseph Nadin on the 30th sent Platt to apprehend M'Donald and went himself with Griffith, who showed him the wrong house; but they found Curran and M'Manus in the next house eating beef: they appeared much alarmed: he asked if they lodged there: they said they did. A woman who stood behind him said they were not in their lodgings last night: he brought them to the office: he asked them if they had been at Chapel-street last night. They both said they had not, and said they did not know Hagin, Runy and Murray. Soon after this Platt brought in M'Donald, and all three were sent to the New Bailey. Mr. Barnes brought Hagin to the office. Witness searched him and found a paper with the names of John Runy, Edward Murray, and other names. Barnes brought the box now produced, and Hagin said he had made it, but he had not seen it for a long time.

Ann Williamson, sister-in-law to John Williamson, knew M'Donald. He worked with John Williamson. She is a married woman and keeps a house. About six weeks before this robbery he

was at her house, and said she was little aware of the judicious scheme that was laid to take away his life. She said she was very much surprised, and pressed upon him to tell what it was. He said, "They have formed a scheme to rob Mr. Oliver's house, and Jim Hagin is going to fettle some looms, and by that means he is to know how to get in." She begged of him to have nothing to do with it. He said, "No; I will wash my hands clean from that, and have nothing to do with it."

Katharine Baron lives in Chapel-street, 50 or 60 yards from Mr. Oliver's; was alarmed on the morning of the 30th, looked out and saw 4 persons coming out of Mr. Oliver's back-yard; one of them turned round and said, "I'll blow your brains out." She did not know to whom it was said. She turned back and said, "That is Irish Jem's voice." She had known him (James Hagin) for 2 years. She heard a pistol fired shortly after she had heard the voice. She had heard a pistol fired before she saw the men.

John Barnes, a constable, went to Oliver's house the morning after the robbery, and received the box and two pikes, one in oak-wood and the other out. (The box appeared to have been used as a lantern). On the Friday after the robbery he was sent for by M'Donald, who was in the lock-up at the New Bailey. He said, "Barnes, I wish to speak with you. About six weeks ago we made a plot in John Williamson's cellar to go to Mr. Oliver's house, after that to Mr. Robinson's and then Mr. Jones's, and then we were to divide the spoil that

APPENDIX TO CHRONICLE. 247

we got. But I was not of arty at the robbery."

Pinlet, a brickmaker, said y worked with him, and were working together on ening of the robbery. They ly gave over work at 7, 8,

M'Coy gave over work ight at 6, and gave his reahat he wanted to meet a n at Ardwick-green. The fast hour was 8 o'clock. y worked with him on the ing of the 30th, from 6 to 8. egan telling him of the rob-

He must have known it at t was about 7 when he spoke

nes Hagin gave a minute y in his own defence; he een on the night of the rob-at William Murray's house, g left Williamson's in order d Runy, one of the men who ft Williamson. He argued considerable fluency and in-ty upon the improbability of idence against him. "Well : that death must be the quence of such a fatal crime, I not have made my es-when warned that I was to orn against? I appeal to all even to the injured Oliver, is likely that I should have guilty. I think the evidence it me sufficient to acquit I have no witness."

rick M'Donald said he had erness to prove where he slept e night of the 29th.

thbert Parker lived in his er's house, in Portland-

. M'Donald slept with him e night of the 29th, and had got into bed when witness

to bed at half-past 10 k. Witness lay awake in

bed for an hour and then slept. He awoke again at half-past 7 in the morning. M'Donald was not in bed then. He did not hear him getting up. He could not tell when M'Donald got up and went out. At 8 o'clock in the morning he saw M'Donald weav- ing in his brother's cellar.

Ellen Foulks knew Curran and M'Manus, and saw them knock- ing at their lodgings on the 29th, directly after the watchman had called past 12. They continued knocking till half-past 1. She lived opposite. They went away at 2 o'clock.

John Sharrock, the watchman in Falkner-street, met the two prisoners at the end of St. James's-street about half-past 1. They were coming up, and bor- rowed his stick to rap at a window. They knocked very loud. He got his stick and left them there.

Cross-examined.—Hewas exam- ined before, and he had then stated the time to be half-past 2; but he was now certain that it was half-past 1. He called the hours that night.

Mary Kelly takes in lodgers. M'Coy lodged at her house. He came in about 9 on the 29th. She had 4 other men-lodgers. She had occasion to go to M'Coy's room at 11, in showing it to Min- ton, a stranger who was to lodge there. M'Coy was then in bed. She went to bed about 12, and did not see the prisoner till break- fast time next morning. He had not gone out before 12; she never heard him go out.

Hannah Serice, a single woman, one of three who lodge at Mrs. Kelly's, sat up on that night till after

after 1: she heard the prisoner going up to bed, and she was sure he could not have gone out before she went to bed.

The jury retired at half-past 6, and returned at half-past 7 with a verdict of Guilty against Hagin and M'Coy; and Not Guilty respecting the rest.

LANCASTER ASSIZES.

Thomas Corrigan, aged 27, was tried for the murder of James Holt, at Rochdale.

In the present case the grand jury had thrown out the bill, and the prisoner was tried upon the coroner's inquest for murder.

Mr. Coltman detailed the circumstances to be proved in evidence.

Betty Holt, widow of James Holt, lives in Yorkshire-street, Rochdale; her husband went out a little past 11, for the purpose of drinking some beer at the Crown-inn on the 9th of August: he came home a little before two, threw himself on his bed and bemoaned himself very much: he said he had been stabbed: she found two wounds on his head and a three-cornered wound, as by a bayonet, on the right side of his belly: he said he was killed: he was told by the doctor on the 12th that he could not get better. On Friday the 13th, the day of his death, he told her that he had met a soldier with his naked bayonet, who struck him without saying any thing to him.

Mr. Abraham Wood, surgeon at Rochdale, attended the deceased and examined his body:

a bayonet wound in his belly occasioned his death.

James Brien, private in 88th, said, the prisoner at the time and Philbin were privates in the same regiment, and in the same quarters: he saw them together a few minutes before nine in Yorkshire-street. They had no arms. He left them in the streets and Hounds and went home and went to bed. Philbin came towards to his door about 12, and was let in by witness.

Philbin got his bayonet and went out again. In about 15 minutes Corrigan came in and got his bayonet. Very near an hour afterwards witness heard a rap at the door; he got up and let the prisoner in. As soon as he had him in, a stone was struck at the door. Corrigan threw himself on the broad of his back in the street and said in all he went that he never was so near being killed as that night; he said his legs were all cut with kicking. Great many men then came to the house and were insisting that the door be opened. Witness asked what they wanted.

They said they wanted the soldier. They threatened to break down the door. A few minutes afterwards they had gone, Philbin came in.

Patrick Philbin was going to the prisoner to their lodgings in the Three Tuns, about half-past 11. They met Cornelius O'Connell, a soldier, and one William who asked them to go to a public-house to get some beer. They went to the Crown and got some pints of beer: they got no more. As they were going up Blackwater-street a number of people were going

APPENDIX TO CHRONICLE. 249

m. One of them turned and cried, "Hurrah, Pat, as the bull go? Did you com Scotland to kill us?" "hat, five or six of them back and began to kick and his party. Witness ; and did not know how Corrigan. He met a man name of Leach at the

They had no arms at ree Tuns. Witness went ter they had been beaten, ad Corrigan had not then e. He took his bayonet t out again, when he met

Corrigan came up soon ds and struck Leach a er the eye with his bayonet.

three then came up to and asked his bayonet.

soon saw a man in his ining after Corrigan with : in his hand. Corrigan ning off. He had run off as he had struck Leach. saw no more of Corrigan saw him in his lodgings. knocked down and his was taken from him.

ing home, he found about at the door ; they were

"Here is where the mur- ent in, and we'll not leave have him out." The

nd guard came up, and one of the men. Wit-

s then let into his lodge- He found Corrigan there,

ed him where his bayonet laded, "What made you

your bayonet? Why did stick them as fast as they

ross you ; for I have put hes of the bayonet into

them." Next morning n took his bayonet out of

the scabbard and was about ten minutes cleaning and wiping it. .

Edmund Leach was struck ver the head with a bayonet by another soldier, while he stood by Philbin. He had said nothing to the soldier before ; when struck he asked why he had done that. The soldier said, "By the holy Jesus I'll seize your heart with it." Witness afterwards

pointed out the soldier who had struck him to his father. His father seized him by the collar. The soldier, that was the pri-

soner, got loose and ran off. Wit- ness's brother called out, "Stop thief."

A number of them pursued the prisoner with that cry to his lodgings. He got in, but

they could not get in.

Robert Stott saw a soldier run- ning through Blackwater-street,

at half-past 12, and a number after him calling "Stop thief."

He made a cliche at him, but fell, and the soldier fell over him. The

soldier got up and went off. He drew his bayonet and swore if

any man went near him he would run him through. He then got

into his quarters.

Elizabeth Hoyle, wife of John Hoyle, saw a soldier going along

Cheetham-street, between 12 and one. She saw him meet a man,

who said in reply to something, "The next street is Toad-lane,

and the next is Blackwater-street." The soldier went forward, and the

man came on and passed witness. When he had got twenty yards

past her, the soldier came running back ; she did not know if it was

the same soldier ; he overtook the man and struck him. The man

fell to the ground. She did not see

see any weapon, but by the sound of the blow she thought he had a weapon. The man offered to get up, and the soldier struck him again, she believed, two or three times. She saw the man get on his feet and go away. Another soldier came to the soldier that had struck, and that took her attention from the man. They stopt a little and talked, and then came back both together towards Toad-lane. Soon after, she heard a cry of "Stop thief." It might be five minutes afterwards. At the same time, she saw a soldier running, and two men and a woman after him.

John Holt saw the prisoner next day opposite the Reed-inn meet another soldier. The other soldier asked how he was. The prisoner said, "I am in trouble for sticking a man last night; but if I had to do it again I would do it. Last night I was surrounded with half a score of young men. They shoved me and called me an Irish scoundrel, and I was determined that some one among them should feel the contents of my bayonet. If any man in Rochdale gives me the least offence I'll stick him to the heart."

By the Court.—He was examined before the grand jury.

Mr. Baron Wood.—It is very odd.

Examination by the Court resumed.—He was not examined before the coroner. He mentioned this that very day to several—to James Bamford and to John Sutliff. Some one mentioned it to Wrigby, the constable, who fetched him to give evi-

dence; he was about a from the prisoner: about 1 dozen came up to witness a time.

The prisoner in his defence said, that as he was going he met nine or ten men, who "You Irish rascal, do you here from Scotland to keep down?" One of them spoke "Go the rig:" one of knocked him down, kicked and trampled upon him. called out "Mercy!" One up and said, "Don't kill soldier:" he got off, but the hold of him and treated him the same way. They followed him to his quarters, and threatened never to leave the house they should have his life: was not a word of truth in that man said; he had been a time in the army and had in six engagements, and never do the like.—(After a pause) I am quite innocent, of this business laid to charge.

Brien recalled, said the prisoner came in the second about 1 o'clock and never out after that.

Groggen, in cross-examination said that Corrigan had asked a friend, who had seen the bayonet if there was any blood upon it. This was when Corrigan was apprehended and his bayonet ordered to be brought.

Mr. Baron Wood, in concluding his summing up, remarked that it was very extraordinary that the grand jury had thrown out the bill. They were not to consider this as conclusive proof in favour of the prisoner. Upon the

APPENDIX TO CHRONICLE. 251

grand jury might have the question in course. This was all he meant on that point. The tended with much difficulty, the next question or it had been murder lighter. The prisoner exceedingly ill-used, in for his bayonet and man, supposing him to one of those who used the heat of passion, t time to cool or re- was guilty of man-

If he had time to re- cool, and if he deliber- ed the deceased, he of murder.—Guilty of ter.

OLD BAILEY.

RDAY, SEPT. 18.

—Henry Stent was put nd the court was almost y crowded with females. a jury having been prisoner was arraigned ictment, charging him d form with having in- ere wounds upon the his wife Maria, on the ust last, with intent to rder her, or to do her ous bodily harm. He ot Guilty. The jury worn. There was no r the prosecution, and e Best called Maria wife of the prisoner, up in the witness-box, vorn. She was plainly a coloured bombasin wore a large Leghorn tended much to con-

veal her features: she seemed to be greatly agitated.

Mr. Alley, one of the counsel for the prisoner, instantly rose and addressed the Court. He said he was not aware that this witness would have been called so early in the proceedings; but being in the box, before she was examined he felt it his duty to submit, that as against her husband her evidence was not admissible. He had searched the books with great diligence for cases in which wives had been admitted as witnesses against their husbands; but found none except that of lord Audley, the circumstances of which were very peculiar—and even the authority of that case he had heard questioned. He recollected one case in which the question would have arisen, but the bill was ignored. Nevertheless, the opinion of Justice Buller was, on that occasion, against the propriety of the testimony of the wife being received. He knew of no instance, except in the case of a rape, where the testimony of the wife was received against her husband.

Mr. Baron Graham, as was collected, for he spoke in a very low tone, said, that there were many cases in which the wife was considered a fit witness against her husband, particularly in one where she was in a state of danger from injury which she had received from him. In such a case, where the wife had died, her deposition was subsequently received against her husband as evidence of the fact.

Mr. Alley said, that the principle upon which the evidence of a wife

present instance.

Mr. Adolphus addressed the court in support of Mr. A's objection.

Mr. Justice Best said that he had not the least doubt as to the admissibility of the wife's evidence in this case, or any case of the same description; this opinion was founded upon the principle that a married woman, like every other subject of the realm, was entitled to the protection of the laws, which would be the case if the objections taken were well-founded. There were many descriptions of personal injury to which a wife was a subject, independent of that which allusion had been made to, which her evidence could also support; and if her testimony were as a matter of course to be rejected, she would be altogether without the pale of the law. The decision in lord Audley's case was perfectly analogous to the present; and the principle upon which the evidence of lady Audley was received was precisely the principle upon which it should be received in the present case.

PENDIX TO CHRONICLE. 253

in did you go?—To
-head.

collect the day you
On the 5th of Au-

the prisoner live at
At Pimlico.

send any letter or
im?—I sent a letter.

ay?—On the 5th of

re of that day did
husband?—Yes.

At the Saracen's-

o you?—Yes.

of the day?—Be-
and eight.

recollect, state what
have no recollection
ed.

ing happen?—Yes.
you first recollect?
ed in St. Bartholo-
al.

the matter with you?
ided.

re you wounded?—

e else?—Yes, there
ounds.

were you confined
lomew's hospital?—

any recollection of
s coming into the
at the Saracen's-

in with him?—I do

alone in the room?

went into the room
wound?—No.

the first thing you
being in bed in St.

's-hospital?—Yes.
ained by Mr. Alley.

— Your feelings overpowered you
when you saw your husband, and
you have not the least recollec-
tion of what happened after-
wards?—Yes.

You said you did not wish to
give evidence against the pri-
soner, because he was one of the
best of husbands?—Yes.

How long were you away from
him?—About 12 months.

(Here the witness sat down,
and seemed extremely anxious to
hide herself from public observa-
tion.)

George King, a waiter at the
Saracen's-head, Snow-hill, looked
at the last witness: he recol-
lected her coming to the Sara-
cen's-head on the 5th of August;
recollected her writing a letter,
which was sent by a porter to
the twopenny post-office; the
woman afterwards remained in the
house. The prisoner came to the
Saracen's-head in the evening;
he inquired for a young woman
that had arrived by the Liverpool
coach, and he was introduced to
the last witness. She got up to
meet him and witness shut the
door. In 10 minutes witness
heard the shriek of a woman, and
immediately went to the room in
which he had left the prisoner
and the woman. On arriving he
found his two fellow-servants in
the room: the woman was on her
back; the prisoner was standing
close by her; a knife was lying
on the floor; it was bloody. Wit-
ness discovered that the woman
was wounded, and went for an
officer. The woman said she
hoped no harm would happen to
the prisoner for what he had done,
for she had been a base wife and
he was one of the best of husbands.

Thomas

Thomas Pithouse, also a waiter at the Saracen's-head, remembered the arrival of Mrs. Stent. She continued in the house till the evening. About half-past 6 he heard a shriek from the parlour. He entered the parlour with Turner, the porter, and perceived the woman on her back and the prisoner with his knees apparently upon her. Turner said, "Thomas, the man has got a knife." Witness looked and saw the knife. (The knife was here produced.) That was the knife. Witness saw the prisoner stab the woman in the neck. He attempted to take the knife and the prisoner dropped it on the floor. After he had struck the blow, the prisoner said, "I have accomplished my purpose; I wish for nothing more; I shall suffer for it, I know I shall." The woman directly exclaimed, "You have! you have, Henry! but I freely forgive you, and I hope the law will take no hold of you and that no harm will come to you. I freely forgive you." She then asked him to kiss her. He kneeled down and kissed her twice, which she returned. She said he was the best of husbands and she was the worst of wives: she highly deserved all she had got. The woman was taken to the hospital. When witness first entered the room, the woman exclaimed, "Take him away; he'll murder me."

Thomas Turner, another waiter, corroborated the witness's evidence. Witness went into the room on hearing the shrieks of a female. He saw Mrs. Stent lying on her back; the prisoner was kneeling on her. Witness ob-

served the prisoner stab the front of the neck. He said, "I have accomplished my purpose." Witness desired Pithouse not to let the prisoner escape while he went for a surgeon. Prisoner said, "I don't wish to escape." An officer was immediately sent for. Before his arrival, witness said to prisoner, "You're a rash man—you've accomplished your death warrant." Prisoner observed, "I have sufficient cause—she has been basely to me." Mrs. Stent said, "Indeed, I have been a bad man to the best of husbands." She then requested to be left up, and witness lifted her by his knees. She requested to take her hand and kiss her, which he did, twice or thrice. Witness said, she freely forgave him and hoped her fate would be a warning to all bad wives.

John Hodson proved that he took the prisoner into custody and searched him; he found a letter in his possession. The letter was produced; it proved to be the same which had been directed to him by his wife. Witness asked the prisoner how he could commit so rash an act, and answered that he had done so and he knew that he should suffer for it.

Mr. Henry Benwell, house-surgeon of St. Bartholomew's hospital, recollected Mrs. Stent brought to the hospital in the evening of the 5th of April. She had several wounds; the lower part of the neck, which had penetrated the windpipe, was a dangerous wound and had occasioned her death, if she might have done well.

APPENDIX TO CHRONICLE. 255

in: this was probable. Another wound on her superficial cut; a third at breast, a stab; a fourth on the right side of consistency, which had wounded the lung; this was like another serious wound. There was a wound on the right side of the chest, which occasioned her death. Produced was such an injury as would inflict these

the whole of the case execution.

ice Best now addressed the jury, and intimated that nothing to say in his period had now arrived.

prisoner said he would case entirely in the counsel.

number of witnesses called on behalf of the prisoner, of whom appeared to be of great respectability. They stated that they had known the prisoner many years, and had always considered him to be a kind, humane, good-natured man, in existence, and a devoted and affectionate and independent man. It was impossible to imagine testimony more favorable than was given by the witnesses, who all seemed to be the strongest sympathizers with the prisoner.

ice Best proceeded to the evidence. He deeply considered the important and painful situation, in the present case, upon himself as a juror; painful, as that duty was, he thought that they would dis-

charge it in a proper manner. The learned judge then explained the law upon the subject. From the evidence detailed, and which he should again read over to them, no doubt could remain on the mind of any unprejudiced person that the crime charged upon the prisoner came within the provisions of that most excellent act of parliament introduced by the late lamented chief-justice of the King's-bench, for the protection of the subject's life. Though it did not appear in evidence upon the present occasion, the fact, however, might fairly be assumed, that Mrs. Stent, the unhappy woman who appeared before them on that day, had forsaken her husband, and by proving unfaithful to his bed had inflicted upon him the most poignant anguish, the most acute suffering that a man devoted to a wife could possibly endure. This, however, could by no means be admitted as a justification of his crime. The law of the land upon this subject proceeded upon the same principles as the religion of the country, which was Christianity. If a husband detected his wife in the very fact, in *flagrante delicto* as it were, and that at the moment he plunged some deadly weapon into her bosom so as to occasion death, it would not be considered murder. The law, like the religion of the country, making fair allowance for the frailties of human nature, considered the husband, with such provocation immediately before his eyes, as no longer under the guidance of reason, and of course not accountable for his acts. Here, however, the circumstances were

were quite different. A considerable time had elapsed since the elopement of the first witness, and on her return she manifested those symptoms of repentance, that appearance of returning affection, which might well be supposed to disarm vengeance, and prevent that ferocious purpose which the prisoner appeared to have deliberately contemplated. Even while her blood was flowing from the wounds inflicted, she still intreated him to kiss her; and in that kiss conveyed a pardon to her assailant. Under circumstances such as these, the law did not admit of the same excuse as when a husband detected his wife in the very fact. Sufficient time having been given for cool reflection on one side and for repentance on the other, the law, proceeding on the same principle as the benign religion which it imitated, did not allow vengeance to be inflicted with impunity. After some further observations, which the learned judge delivered with great talent and feeling, he summed up the evidence at length.

The jury then retired, and after consulting for about half an hour, returned with a verdict of Guilty; but recommended the prisoner strongly to mercy on account of his good character.

Mr. Justice Best.—The recommendation shall certainly be forwarded.

The punishment of Stent was finally commuted for 2 years imprisonment.

SEPTEMBER 19.

Theft.—Elizabeth Dunham was put to the bar, charged with steal-

ing two keys, the property of the governor and company of Bank of England, on the 2 August.

The prisoner pleaded guilty to the fact of taking the keys, but would not admit that it was theft. She was respectably educated, and while Mr. Bosanquet stated the case, appeared to attract great attention to him. He said the only object of the Bank in bringing forward this prosecution was, that the prisoner might be sent to a place where she might be taken proper care of. It appeared that when her room was searched there were found less than 4,000 keys. Among them were the keys of the College of Missionary Society, Bell's Alley, of the counting-house of the duke of York's school, the lock of Greenwich watch, the key of the College of Physicians, of the Royal Exchange, the Temple stairs, county gaol, Maidstone gaol, the council Guildhall, and many others. All were all ticketed, and the list was carefully recorded on which they were taken. Mr. Bosanquet then closed the case.

Shackwell, the porter of the Bank, was called for the purpose of identifying the keys, having done, the prisoner requested that they might be put into her hands for the purpose of ascertaining whether they were the same found in her possession. This being allowed, the poor woman got them into her possession, she executed with an air of high satisfaction and triumph, "Now I have them, I shall hold them to the rights of my king, my co-

APPENDIX TO CHRONICLE. 267

" She then wrapped carefully in a pocket f, and said nothing to her to give them the pardon from the ent.

stable who searched was then examined. That he found there not 100 keys, all of which he had except about 200. He called upon for her de- cid that she had done that she had taken all the own rights, which not otherwise obtain. That by doing so she was her own rights as of her country, as who own them would be obliged to come for- her justice.

Richardson.—Have witnesses to call?

—I don't know that I see no witnesses. I have no relations, but no

under the direction t, acquitted the pri- ve ground of insanity. However, detained for of being taken the of which her situation

r, FRIDAY, SEPT. 24.

ock, Mrs. Mary Ridd- e of captain William s put to the bar, and an indictment for jamin, the infant child rier, 14 months old, of August last.

witness was a little of age, named Sa-

mael Schrier, who said his father lived at Bencroft-place. Wit- ness was sent out with his 3 little brothers before 2 o'clock on Sa- turday; one of them was Benja- min; he took him to the adjoining field to the almshouse. A lady who was the prisoner at the bar, came up to him, and asked, "Is this Bencroft-place?"—he replied, "Yes;" she then asked him if there was a cake-shop near, and if the child (Benjamin) was his brother? he said, "Yes;" she then gave witness a shilling, and desired him to go and get 3d. worth of cakes, and she took the child out of his arms to hold while he was away; he was gone about a quarter of an hour, and when he returned to the spot he found Benjamin missing, and searched all about the fields with- out being able to find him or the lady. The lady had a bundle in her hand, but he did not know what it contained.

The moment he saw the lady at Lambeth-street, he identified her as being the same who carried away his little brother.

Sarah Holdgate said, her hus- band kept a green-grocer's shop at Shadwell. On Saturday, August 28, the prisoner came to their shop, about four o'clock in the afternoon, to buy some fruit for a child she carried in her arms. The child now in the mother's arms was, she believed, the same. The lady seemed very agitated, and trembled much: she said she had lost her way, was much fa- tigated, and said she wanted a coach to Old-street and did not mind what she paid for it. Wit- ness directed her to the nearest coach-stand, and was, at the time while

while she stopped, for about ten minutes, struck with the difference in the condition of dress of the child and the lady, and also at the whitish coloured hat of the child as being much newer than the rest of its dress. Witness was so much struck with this, that on the same day she communicated her suspicions to a lady whom she knew. She was quite certain of the identity of the prisoner.

Ann Knight lived in New-square, Minories, and knew the prisoner perfectly well; she took an apartment at her house on the Monday before this business occurred. On the Saturday in question she left the house about half-past 12 o'clock; she had no child nor any family with her; she said she should not return before night. Witness did not observe any bundle in her hand when she went out; she, however, while she was at the house, used to see her with a hat, which she said she meant to give to a poor woman. At seven o'clock in the evening of Saturday, she brought a coach to the door and took her things away.

Hester Hilder lived at the Cross-keys inn, Gracechurch-street, and remembered the prisoner's coming there on Saturday the 28th of August. She had been there once before: this Saturday, when she came with the child it was dark and candles were lighted for her; she left the inn on the Monday following. Witness had occasionally assisted her in dressing the child, which was a boy, and which she said she took from nurse. She could not speak positively that the

child now in court was the lady had brought to. The child while at the inn and fretted a good deal, wanted its mother's nurture.

Cross-examined. — Witness treated the child with the greatest tenderness.

John Schrier was night-stable at Mile-end road, father of seven children; the boy who had been examined was one of them. On the 28th August, Benjamin, another son, was two days more months old, and was staying with three of his brothers. On the 28th August he returned about four o'clock, and found that Benjamin was immediately went to make diligent search, in the evening which (on the Thursday following) he arrived at Birmingham where he found Martin, a prisoner, who had arrived there before him; he was in the same apartment with the child and took it at the bar. Martin held the child to him, which he immediately owned to be his, and accordingly took it. Martin pointed to the lady and said she was she who stole it; either the prisoner or her sister-in-law was present, asked witness if he knew it to be his child, he pointed out a mark on the child's arm and eye, which the ladies remarked he had never seen these marks before he came into the room. He showed this by producing one of the printed bills advertising for a child, which contained an illustration of the aforesaid prisoner. The prisoner then became excited, and said something about

APPENDIX TO CHRONICLE. 259

g been put into her
 Martin, an officer, pur-
 prisoner to Birming-
 sequence of informa-
 received. He found
 the Wednesday, with
 her arms, at the door
 : it was dressed very
 d she was nursing it.
 speak to her until the
 morning, when the
 ; he told him he
 had succeeded in find-
 . He then went to
 which was a booksel-
 asked for captain Rid-
 as out ; he then asked
 lding, who, with her
 , came down stairs,
 introduced to them
 flour. Witness then
 , "I am an officer of
 om London, and have
 rge against you ; it is
 a child." She ap-
 fully agitated at this
 and the sister-in-law

The latter said,
 s all this mean, my
 ik the truth ; what
 ut this child?" "I
 said she (the pri-
 the captain has been
 : for a child, and I
 don, determined to
 or person's child and
 my own ; I accord-
 about and saw this
 me others at play ;
 m money for cakes ;
 had it said he would
 cakes, and he then
 child into my arms
 or the cakes. I wait-
 turn some time, but
 come, and I then
 vidence had put the

child into my care, and I went
 away with it, determined to take
 care of it and apprise its parents
 of the circumstance as soon as I
 could ascertain who they were."
 On his asking her for the clothes
 the child had when she took it,
 she went up stairs and brought
 them down. [Mrs. Schrier here
 identified the clothes produced
 as being those her child had when
 it was lost.] The officer further
 said, that when he first saw the
 child on the Wednesday it was
 elegantly attired in a lace dress ;
 on the Thursday it had a new and
 different dress ; the lady appeared
 to treat it tenderly, and offered
 to send a careful person up with
 the child to London ; she did not
 seem to wish to conceal the child
 at all, and saw her dancing it in
 her arms at the bookseller's door
 on Wednesday.

The lady, on being called upon
 for her defence, said, "I was
 walking near where the children
 were playing, and I wished to
 give them some cakes ; I offered
 money to them, and the boy
 pushed the infant into my arms
 and said he would go for the
 cakes ; I gave him a shilling, and
 he went to bring the cakes.
 After staying some time, await-
 ing his return, he never made his
 appearance, and at the instant it
 struck me, that, as I was anxious
 to adopt a child, it had pleased
 Providence to put this infant in
 my way. I then from that moment
 determined to adopt it as my
 own ; as I had lost my way and
 knew not where to turn to look
 for its parents, I went away with
 it, determined to apprise its pa-
 rents as soon as I could ascertain
 who they were ; I treated it

whilst it remained with me with the utmost fondness and maternal tenderness."

The Common Serjeant summed up the evidence to the jury, who returned a verdict of Guilty, but strongly recommended the prisoner to mercy.

[She was finally sentenced to twelve months imprisonment.]

COURT OF KING'S-BENCH, GUILD-HALL, OCT. 12.

Libel.

The King v. Richard Carlisle.

—This was an action brought by the Attorney-general against the defendant for the republication of Thomas Paine's *Age of Reason*, formerly adjudged to be a blasphemous libel. The cause excited general interest, and at an early hour the court was crowded to excess.

Mr. Carlisle conducted his own defence without the assistance of counsel; before the cause commenced, he objected to the competency of the tribunal, not being aware, he said, of any law on which the present prosecution could be maintained.

The Attorney-general, in opening the cause, repelled the assertion of the defendant that the present information was founded on no law. Christianity, he said, was a part of the law of the land, and to deny or revile it was punishable both by the common law and by several express statutes; and he cited several cases in support of this declaration, particularly the verdict formerly obtained against one Williams for the publication of the very work now in question.

If the Christian religion part of the law of the land, the next point was to show the defendant had violated it by publishing one of the most abominable, disgusting and wicked attacks on religion that had appeared in the world; and the learned gentleman proceeded to read passages from the work containing the most open and violent attacks both on the authority and the moral tendency of the Old and New Testaments.

Mr. Carlisle, in his defence, stated truth to be his only principle in the publication; and expressed his conviction that such publication was essential to the interest and welfare of the country and fellow-citizens, he said, was fully prepared to discuss the subject; indeed it was only in discussing such works as the minds of the public could be perfectly enlightened. The sentiments of his own brethren should state, were in unison with those of Paine, and his defence consisted in the avowal of this. He then entered into a long defence of these sentiments, which he affirmed to be free from any immoral tendency; and he proceeded to read aloud nearly the whole work, accompanying his comments.

After eleven hours had occupied in this manner, the Chief Justice at the request of the defendant adjourned the case to the following day.

The defendant, on resuming his defence, undertook to support his charges by reading passages from the scriptures themselves, the charges brought against the defendant were founded in truth.

he was interrupted by the Chief Justice, who informed him that it was not competent to the Court to try the merits of the Christian religion, and that such a line of defence was utterly inadmissible. He was however permitted to read a variety of extracts from various controversial works for the purpose either of supporting the opinions of Paine, or of showing that similar opinions expressed by others had escaped prosecution. He likewise endeavoured to show that the late act for the relief of Unitarians ought to protect this work from legal cognisance. The Court again adjourned to enable him to conclude his defence.

On the third day of the trial, Mr. Carlisle read a number of passages from various works in favour of the unlimited toleration of religious discussion. He also desired to be permitted to call the Archbishop of Canterbury, the High Priest of the Jews and the leaders of various sects of Christians, to show the discrepancies of their religious belief. The Chief Justice informed him, that such testimony would be at once inadmissible and unavailing; and in consequence some witnesses to the general character of the defendant were alone summoned.

After a reply from the Attorney-general, the Chief Justice summed up. He concluded by saying, that, sitting where he did, it was his duty to express his opinion to the jury, and that opinion was, that this publication was a work of calumny and scoffing, and therefore an unlawful publication. The jury, after a deli-

beration of half an hour, returned a verdict of Guilty.

OCTOBER 15.

Libel.

The King v. Richard Carlisle.

—Mr. Carlisle, as on his former trial, protested against the competency of the Court. Mr. Marryat, for the prosecution, stated that this was an indictment against the defendant for having published a certain, scandalous, impious, blasphemous and profane libel of and concerning the Holy Scriptures and the Christian religion, to which the defendant had pleaded not guilty.

Mr. Gurney, on the same side, rose and said, that this was a prosecution instituted by the Society for the Suppression of Vice,—a society which had been of very much benefit to the public on many occasions, by putting down wicked and licentious publications, calculated, like the one now complained of, to injure the morals of the community, and particularly those of the young. The society conceived that the religion of the country, on which all morality was founded, was not less entitled to the protection of the laws than any other part of their invaluable institutions; and when they saw in one of the most public streets of the metropolis, works exhibited for sale which attacked and reviled the Christian religion, and the Holy Scriptures in which it was contained;—when they saw such works daringly and ostentatiously sold at the shop of this defendant, which he had been pleased, in the effrontery of his impiety,

impiety, to stile the "Temple of Reason," "The Office of the Republican and Deist;"—when they saw all this, they thought themselves called upon to do their part to put down a class of publications which, were they to succeed in their object, would dissolve all the bonds by which civil society is held together. They had accordingly obtained evidence of the publication of the work in question and submitted a bill of indictment to the grand jury, by whom it had been found. The defendant had been pleased to enter his protest against the competency of this Court to try the question. If such protests as this were to be tolerated, he knew not what offender might not in future unblushingly defy the authority of the courts of his country to take cognizance of any offence imputed to him. He supposed that they would be asked to-day, as they had been before, by what law the defendant was to be tried. The answer was, that he was to be tried by the ancient, the well-known, the universally-recognized common law of England;—that law which existed and was revered and obeyed before there was any statute on the books;—that law by which their civil rights were regulated, by which their property was protected from the thief by day, by which their houses were protected from the midnight intruder, by which their lives were protected from the knife of the assassin, by which their nature was protected from the violation of unnatural lust. Such were some of those crimes which the

common law of this land had denounced;—that law which they had been told was no law; and really the defendant might as well tell them, that not one of all these crimes could be competently tried by any court in the country, as stand there and maintain that it was incompetent for that Court to try him for the equally high and serious crime against common law with which he was now charged. A doctrine such as that maintained by the defendant would, in fact, set all law and order at complete defiance. The book which was imputed as a libel to the defendant was entitled "Principles of Nature; or, a Development of the Moral Causes of Happiness and Misery among the Human Species." It professed to be by Elihu Palmer, and the imprint stated that it was printed in America, but re-printed and published in London by H. Carlisle, 55, Fleet-street. Whether all these statements were false or true, he knew not;—whether there was any such person as this Elihu Palmer, or whether the book had ever before been printed, he neither knew nor cared. It was enough that he found the defendant openly publishing it with his own hand; and as it would be his business to show to them, publishing it with no other purpose than that charged in the indictment;—the profane and wicked purpose of reviling the Christian religion and Holy Scriptures. It was a painful task to give utterance to such passages as he should be obliged to read to them in support of his case: it must be as painful for them

APPENDIX TO CHRONICLE. 263

to hear as for him to repeat ;—passages so abominable, except certain parts of that ous work with the consi- on of which the Court had ese three days past been ied, he remembered not to read or heard of any thing arkable for wickedness and ty. The learned gentle- hen proceeded to read vari- passages reflecting either certain doctrines of Chris- y, or upon the character of nder; and after a number of ks in reprobation of the and of the conduct of the dant, he ended by express- is confidence that the jury air verdict of condemnation l contribute to stem that t of infidelity which threat- to carry away all our insti- s, all our laws, and with all our happiness.

witness was then brought, roved the purchase of the of the defendant in person. arlisle afterwards spoke at length in his own defence. e learned gentleman, he has stated that this was a cution instituted by the So- for the Suppression of Vice.

last night, gentlemen, I knew who my prosecutors ; nor do I believe I should have become acquainted heir name but for the ver- f yesterday. He has told hat the gentlemen of this y have conferred many be- on the country; and, in instances, I admit it; but ave carried their inquisito- nduct too far. In prevent- ie sale of obscene books rints, I think the society

has acted laudably, as these are demoralizing to all persons, of all ages, and of both sexes. But are they justified in going so far as to become censors of the press, and to judge of books on matters of opinion? Gentlemen, I am no hypocrite; I avow myself a Deist, believing in one God, independent of books or the opinions of others. This, it must be admitted, is, in the abstract, a matter of opinion only. If, gentlemen, your religious opinions are different from mine, you will doubtless disapprove and condemn them. By the laws of this country, a foreigner is entitled to have one half of the jury his countrymen, or at least of fo- reigners; but it is not so with me; I am to be tried by a jury of opinions opposite to my own, and I am not allowed to justify mine. How far it is necessary that books should be shielded from examination by law, or that courts of justice should take cognizance of such an examination, and not allow the defendant to state his reasons, I will not pretend to determine. The learned gentleman has attempted to screen the Attorney-general from the charge I made against him of wishing to excite prejudices against me; but he has failed. He has also stated, that the book I am charged with publishing was purchased at the office of *The Republican and Deist*. Now, gentlemen, this is a falsehood, as my shop bore no such designation until long after this indictment was laid against me. He calls me an offender; this, at least, was not decent in your presence; for although the indictment charges

may give against me be irregular and impure. But the learned gentleman has gone further, and compared the publication of this book as equal in offence to that of murder, theft, or pocket-picking. Is there the slightest analogy? A book is submitted to the public, to be purchased by them or not, at their option; and if they read it, they may approve or discard it. They are not deprived of any thing by the act except the price of the book, and this was on their part voluntary."

After pleading, that the act by which impugnors of the Trinity were relieved from responsibility, ought to protect him also, the defendant proceeded to read and comment upon the work in question. After listening for some time to passages which gave general offence, the jury at length expressed, through their foreman, their unanimous opinion that Mr. Carlisle was pursuing a very improper mode of defence; an intimation which silenced him.

The Lord Chief Justice, after laying down the law, retired.

APPENDIX TO CHRONICLE. 265

OF KING'S BENCH, 'SER-
ANT'S INN, OCT. 29.

v. Davis (Clerk).—This case wherein a pauper was removed from one parish and detained by the officers of another, &c. At the latter place he remained there for two months without being chargeable, but he became so; during that period no objection was made to his residence in the parish until at the expiration of which he was committed a second time (having been before committed for the same offence) to gaol by defendant, as an "idle and disorderly person, who unlawfully" returned to a parish from whence he had been previously legally transferred. It appeared that on the occasion of his return in question, he was furnished with a letter from two principal inhabitants of his parish, acknowledging him as a pauper, and expressing regret at the unnecessary expense with which he had been kept in the other. It was in evidence of his unlawful imprisonment in Bury gaol that the action was brought. Robinson observed, that the legal question in this case was whether the conviction was a legal justification of the detention? But there was another question whether a man who had been removed from his parish as a criminal by the mere fact of returning to it, was any thing else;—whether it was an act of vagrancy? If it should show their lordships

that he did not, and that this was not enough to constitute such an act, he flattered himself his motion would lie. Now he should contend that the magistrate had no jurisdiction, because he had acted upon an information which did not state any crime as against the plaintiff. The mere return of a pauper after the execution of an order of removal was not an act of vagrancy. The information in question was founded on the well-known statute of 17 George 2nd, and it was most material to observe that that statute neither defined nor created the offence charged in the information. It was of the more consequence to remark this, because had the words of that act first mentioned and described the offence, it would have been sufficient to have referred to it in the information. But what did it do? It provided that all persons who should "unlawfully" return to such parish, place, &c. after being removed from thence, without bringing a certain certificate, properly signed, from the place or parish whence they so returned, should be deemed idle and disorderly persons, and punished accordingly. It was therefore to be inferred, from the word "unlawfully," that it was not the intention of the legislature to declare the mere and single act of returning unlawful. That very word indeed implied, that there might be a lawful mode of performing the act he spoke of.

Their lordships here suggested, that the very words of the statute, such as they were, being transcribed into the information, it was not possible for them to alter

alter them. Should not this man, to have raised the learned counsel's points, have offered to the magistrate at the time such circumstances as might have proved that the proceedings against him were not legal? It did not appear that he had then urged what would have been, no doubt, sufficient to prevent their taking place.

Mr. Robinson, in continuation, said, that Mr. Justice Buller had already laid it down, that if the statute defined the offence, then it was correct and sufficient to refer to it in the information; but if it did not, or spoke of it only relatively or in general terms, then the reference was not enough. So, in an action under the Gambling act, the judges held, that the pleading of the words of the statute, "unlawfully gaming," was not a good plea. The specific facts ought, they said, to have been shown, in order that they might know what were unlawful games. In the case of *Molten and Jennings* (*Cook's Reports*, 642), lord chief justice Eyre held, that if the oaths had not been specified the information would have been void.

The lord chief justice observed, that there was this distinction to be made between the case before them and those which had been cited—that here it would be matter of extreme hardship if a pauper, after being examined before the magistrate and refusing to state the grounds of his return, should, after conviction, be allowed to say, "I can bring forward facts to prove an illegal commitment, and will now state them, though I declined to do so before."

Their lordships concurred in observing that this was very possibly a case of extreme hardship individually on the plaintiff; but under the circumstances of the case, they could not possibly pronounce against the magistrate, who, acting on the information, had only done, and by no means exceeded, his duty. If the plaintiff could get at the person who caused his commitment in the first instance, they should be very glad; because they believed this to be only one of the ten thousand cases which must be perpetually occurring so long as the present poor-laws remained in operation. If they were to pronounce that an action would lie against the magistrate, they might be punishing an innocent man. He appeared to have acted rightly. But very possibly the churchwardens and parish officers (and on the face of the pleadings it seemed they had) acted most improperly and harshly to the plaintiff, whom they were instrumental in depriving of work in the middle of harvest, and who was not likely to become chargeable to them. The magistrate, however, could not be held to have proceeded illegally.

KING'S BENCH.

Inquest at Oldham.

The King v. Joseph Taylor and John Earnshaw.—Mr. Scarlett rose and said, he was instructed to move for a rule to show cause why a criminal information should not be filed against Joseph Taylor and John Earnshaw. He made this motion upon the affidavits of John Mellor, constable at Oldham;

APPENDIX TO CHRONICLE. 267

Ferrand, one of the coroners of the county of Lancaster, other: the ground of it attempt to influence the minds of a jury assembled at Oldham to hold an inquest upon the body of John Taylor. The jury were summoned on the 8th of September, but the jurors not being able to return a verdict, an adjournment took place.

On his arrival however at Oldham a great multitude assembled who appeared to take a great interest in the proceeding, and were extremely desirous that the jury should come to the same conclusion as they had already reached.

Mr. Ferrand's affidavit was taken to state, that the inquest had lasted many days, and that at Oldham fearing from the temper of the people in the town, that some violence might take place, he removed it to Manchester, where the coroner was more vigilant and the people more quiet.

One of the parties, Earnshaw, a surgeon, and had attempted to give evidence on the matter of the inquiry. He attended the deceased in full medical capacity, but being asked he declined taking an oath and could not therefore be examined.

Justice Bayley asked whether a verdict had been found? Mr. Scarlett replied, that it was not found, but that it was difficult to strip themselves of the habit of public rancour, but did not appear by these facts whether a verdict had been found.

Justice Bayley observed, that the motive for asking the question was, a doubt whether the application as the present

might not have an influence on the verdict; and whether, in that view, the Court ought to interfere?

Mr. Scarlett said he would shortly state the ground of his motion. Mr. Earnshaw's evidence had been rejected for the reasons before stated; but it appeared that he and Taylor had taken means to circulate in the form of a written statement among the jurors, that which he had not given upon oath. He would not disclose the contents of this paper at present, but merely add, that Mr. Cox, a surgeon, had given evidence as to the cause of Lees's death, and the remarks in the written statement differed from that evidence. One of the affidavits stated that four or five of the jurors had received copies, one of which was shown to the coroner.

The Lord Chief Justice asked, whether it appeared from whom they received them.

Mr. Scarlett replied, that in Mellor's affidavit it was sworn that Taylor admitted to him the fact of the papers being left at his house without any direction, but that, conceiving them to be so intended, he had distributed some of them among the jury. Mr. Ferrand stated, that one of the jurors put a copy into his hands; that he made no observation at the time, but finding afterwards that more were distributed, he told the jury that it was their duty to deliver them to him; they made no answer, but it appeared that all, except one named Wolfenden, had received copies, which were left at their respective houses. The learned gentleman observed, that

ther the paper was written a
Earnshaw's attendance in cou

Mr. Scarlett said he belie
that was the fact. The paper
dated the 1st of last month.
was sworn to that Mr. Earnsha
on being asked whether he w
the author, gave an indirect a
swer, saying it could not
traced to him, and that he h
neither directly nor indirectly c
culated it. One of the pape
appeared, however, to be in h
hand-writing. The learned cour
sel was then about to read th
paper.

The Lord Chief Justice.—Th
paper, I presume, imports t
contain the opinions of a medica
person?

Mr. Justice Bayley.—And i
an affirmation of what could onl
be received as evidence under th
sanction of an oath?

Mr. Justice Best.—And is suc
evidence as had been previousl
rejected?

Mr. Scarlett assented.

The Lord Chief Justice.—It i
clear that nothing ought to b
delivered to a jury.

of the 25th of October last, and served while the captain was below by the proper officer; but on his deputy's attempting to take possession of the ship with the customary forms, the Dutch captain assailed him with the most insulting language and ungentlemanly behaviour; he threatened to throw him overboard if he did not quit the ship immediately, after having otherwise put him in fear of some personal danger and punishment in the event of attempting to execute his orders. The officer was, in consequence, obliged to leave them unexecuted.

Dr. Lushington, on behalf of the crown, moved the court for a warrant of attachment against the person of the captain, (the former one extending to the ship and cargo.) He contended that every possible consideration had been shown for the situation of this person and the character of his government. Immediate information had been transmitted to the ambassador from the king of the Netherlands in London, as well as to his consul resident at Plymouth. The conduct of the captain, under these circumstances, was a manifest contempt of court; and the learned counsel maintained, that the course he had proposed in submitting his motion, was the only one that ought to be pursued in this case.

Sir William Scott asked if any appearance had been given on behalf either of the ambassador or of the consul?

The king's advocate replied in the negative. He was aware that, therefore, it was only by the indulgence of the court that

he could make any observation on the case before it; but he suggested, that it was one of great nicety, seeing that the foreign officer's instructions could not most probably, contemplate the occurrence of the events in question.

Dr. Arnold had also, conjointly with his majesty's advocate, been consulted by the consul on this occasion, and hoped that proceedings would be suspended. The captain was, in some degree, intrusted with the honour of the national flag under which he was sailing; and it might be fairly presumed, was more anxious for the preservation of its rights than the observance of his duties. He trusted that time might be allowed, in order that he might communicate with his government.

Dr. Lushington insisted that this was the case of a ship which had sought, and been assisted by, the aid of British vessels, by whom she had been brought within British territory and under the undoubted jurisdiction of his Britannic majesty. How, then, could it be urged, that this was a case of any peculiar nicety; or that it could be necessary for this officer to make any reference to his own government? His conduct had been clearly most reprehensible, and was clearly within the reach of this court. But he wholly objected to the precedent of this officer's being allowed to ask for instructions from a foreign government. Was this court to wait such delays in a case like this? Suppose the vessel had been an American or a Russian, was this the way in which this country

country was to run the risk (he would not put it otherwise than conditionally) of having its authority invaded?

Sir William Scott asked what further time the other party meant to apply for, before the warrant of attachment should be granted?

It was intimated that a fortnight or three weeks would be sufficient.

Sir William Scott wished to know, whether the ship, in case of the suspension, would remain certainly in her port, and whether there was any intention of proceeding?

The King's Advocate had no means of answering positively; but the ship being a complete wreck, he presumed the court had every means of protecting itself whatever it might decide upon.

Sir William Scott said, the court felt a desire to act with the greatest delicacy towards foreign states on occasions of this sort, and certainly not the less so in regard to the state in question. This was described as a ship of war, but her present situation was that of a merchant vessel, clearly; and the other vessels which had applied for this warrant were as clearly entitled to remuneration for salvage-service. There might be reasons on the part of the foreign minister here for the delay, which he was inclined to respect; but the British claimant must be protected. If he were given to understand that this ship would not be removed, however, he could not object to the warrant's being deferred for a short time; and this he desired might be signified to the minister,

who represented his government in this country, accompanied an intimation that such request must on no account take place. The court, in conclusion observed, that it should grant a warrant of attachment, unless assurance of her continuance in port were speedily given, which might be done by proper parties, when so ordered out of court, without waiting the next court-day.

KING'S BENCH, NOV.

Criminal Information

The Lord Chief Justice was engaged in going through the bar a second time upon applications for new trials, observing that Mr. Hunt had been twice in court, with a bundle of papers at his side, in which, through one of the officers, he intended to submit a motion; and on finding this affirmative, called upon him to state that the court were ready.

Mr. Hunt rose, and stated that he had a motion to make, and requested the magistrates at the bar.

Lord Chief Justice.—What is the nature of it?

Mr. Hunt.—My lord, I move for a criminal information against them.

Lord Chief Justice.—You are not competent for you to move. A criminal information may be moved at the suit of the party, and such a motion cannot be made by some gentleman at the bar.

Mr. Hunt.—I have looked

APPENDIX TO CHRONICLE. 271

ks, and I cannot find
ce in which the court
red to stop a prosecu-
kind.

Chief Justice.—I believe
no precedent of the
ring any but a gentle-
bar to conduct a pro-
this nature. Mr. Pol-
e ready to hear you.

lock, however, had no
shed his motion, than
again offered himself to
ion of the court, and
know whether their
would be pleased to
how he ought to pro-

Chief Justice.—No, we
here for that purpose.

ant (interrupting his
ho with some difficulty
to add, that if he had
any personal wrong, he
ing a civil action) re-
ad been often told that
justice were open to
had strong reasons for
is a public proceeding,
l neither money nor in-
to employ professional
the management of it.

Chief Justice.—All this
is to prevent you from
a criminal information.
Justice Bayley.—It may
to state on this occa-
sions of the rule by
court is now guided.
e most improper, in the
, that the time of the
ld be occupied unne-
or in the consideration

irrelevant to those
r which alone it exer-
isdiction, or to which
eneficially to the pur-
justice, advert. The

time of this court belongs to the
public.

Mr. Hunt (again interrupting).
—I am one of that public.

Mr. Justice Bayley.—You are,
Sir, and are to be informed, that
the king sometimes acts in this
court by his own law-officers and
sometimes by other professional
gentlemen. Every criminal pro-
secution is carried on in his name;
and for a long series of years a
practice has prevailed, that none
but gentlemen at the bar, whose
education fits them for the con-
duct of such proceedings and
who know by that education and
from their experience what
points ought to be urged and
what topics may be brought for-
ward without incurring blame,
shall carry on the prosecution in
court. It might otherwise hap-
pen, without any evil motive, but
purely from honest ignorance on
the part of an accuser, that the
most injurious prejudices might
be excited. It would, indeed, be
a great hardship on a prisoner,
charged perhaps with an offence
affecting his life, that a prosecutor,
merely because he knew not what
it was proper to state and what
it was necessary to omit, should
bring forward matters with which
a jury had nothing to do; but
which, being brought forward,
might produce an effect upon
their minds which it would be
impossible for the judge after-
wards to remove or to control.
The same observation must apply
to cases of misdemeanors, and
he knew of no solid distinction
that could be made between what
was to be addressed to a jury
and what to that court, in cases
at suit of the crown. There is

no

no precedent of a criminal prosecution originating in this court except at the instance of officers of the crown, or of persons who in some respects stand in the character of public officers—I mean, of course, gentlemen at the bar. To abandon this rule of proceeding would be to destroy the distinction between civil and criminal cases. By the former, every individual may seek a remedy for personal wrong sustained; but the object of criminal proceedings is not private redress but public justice; and it is therefore impossible for us to accede to that course which you are desirous of pursuing.

Mr. Hunt.—May I be permitted to offer a few observations on what has fallen from the learned judge?

Lord Chief Justice.—No, Sir, you cannot. Have you any instances of an individual not at the bar, being allowed by this court to do what you are contending for?

Mr. Hunt.—There is no precedent from the earliest institution of trial by jury to the contrary.

Lord Chief Justice.—You have not answered my question.

Mr. Hunt.—I wish to refer the court to a case which came on before lord Ellenborough, a short time before your lordship was appointed lord chief justice of England.

Mr. Justice Bayley.—It was determined recently in the case of Milne, in the negative.

Mr. Hunt.—I allude to a different case, that of the king, on the prosecution of Pitt, against the right hon. William Huskisson and others.

Mr. Justice Bayley.—I select that lord Ellenborough suffer Mr. Pitt to be heard, that I afterwards spoke of to that noble and learned lord, for whom I always felt the greatest respect, but to whom I communicated my opinion that wrong on that occasion lordship acquiesced in the terms I stated, and declared a conviction that the proceeding was incorrect, and that the chief of such a precedent was allowed to be drawn on one, could not easily be imputed.

Mr. Gurney.—His lordship afterwards declared in court he was satisfied he had done wrong.

Mr. Hunt.—If this be the case, it is useless for me to contend further.

Lord Chief Justice.—I am bound to submit to the authority of the court.

Mr. Hunt.—This is the first instance of a prosecution being impeded.

Lord Chief Justice.—There is scarcely any instance of a prosecution attempted to be thus impeded.

Mr. Justice Holroyd.—It is clear that there is no precedent to justify an application on the part of the crown to proceed forward in the present manner. The object of all criminal prosecutions is public justice; the court would act most improperly in allowing an individual to convert himself, at his own pleasure, into a counsel for the crown.

Mr. Justice Best.—It is where an individual can convert himself party to a cause,

PPENDIX TO CHRONICLE. 273

to appear publicly before court. The person on comes forward, not as to the suit, but as an advocate for the king. If it were otherwise, that would be contrary to the name of the applicant, he would be entitled to appear personally. He cannot, however, be in a situation to consider the present circumstances unless he can adduce a precedent; and none can be found. What right has his person have to oblige himself upon the king, and to conduct a prosecution against his subjects? The right to make no such plea; and indeed the reasons have been made upon this instance, are pregnant with the utility of the rule, the importance of adhering to the gentlemen at the bar, and to stop or to recede; evident that the present will be content with which this Court can de-

ment then declared his persuasion that no appeal would ever be made to the Manchester magistrates any gentleman at the immediately left the apparently much cha-

Curling, was a young lady of considerable personal attractions, residing with her mother, a lace-cleaner, in Wood-street, Bond-street. The defendant, formerly an officer of engineers in the East India company's service, now acted as minister to a congregation of Baptists, at a new chapel situate between Queen-street and Charles-street, Oxford-road. He had previously preached at a chapel in Titchfield-street. The lady was of the age of 22, and the defendant 28 years. The acquaintance commenced by the plaintiff, her mother and sister, going to hear the defendant preach in November, 1818; after which they visited each other. Shortly after it was agreed, that the family of the plaintiff should become his sectarians, and they accordingly joined the Baptist society and became a part of his congregation. The defendant then paid his addresses to the plaintiff, with the consent of her mother and with the knowledge of his father, a tailor, residing in Arundel-street, in the Strand: the families continuing to visit each other from November 1818, to April 1819, when the defendant thought proper to break off the intended marriage, which had been repeatedly promised and even published by bans. His letter on this occasion stated (among other things) that his father had given his absolute negative to the connexion, and that if the union took place, it would prevent his father's settling those debts which he (the defendant) had contracted in India, and which his father was now liquidating, &c. Several love-letters of

OF COMMON PLEAS,
TUESDAY, DEC. 2.

v. Buck.—This was an action for a breach of promise of marriage and the damages were £1000. It appeared that the plaintiff, Miss Mary Anne Buck, XI.

T

of

of the defendant's preceding this were read, which marked his sentiments of propriety, respect and affection for the plaintiff: in one of them he said, "I pray God that the law may bring us together for our mutual comfort;" and it was proved that in a conversation respecting her, he had said, "She is a pious, God-fearing young woman"—"She is a spiritual and gracious young woman." On the part of the defendant it was stated, that he was in very narrow circumstances and much involved; his father had a numerous family besides. The salary he enjoyed as a preacher could not exceed 50*l.* per annum, as he had expended all the money he could raise in fitting up the chapel. However, he abandoned all attempt to throw any imputation on the character of the lady.

The Chief Justice summed up the case, and the jury found a verdict for the plaintiff—damages 150*l.*

COURT OF KING'S-BENCH,
THURSDAY, DEC. 23.

Butcher v. Campbell and others.
—This was an action brought by the owner of a fishing smack called the Mercury, against the owners of a West India trading vessel called the Contest, for running down the plaintiff's ship, whereby she was sunk. The accident took place on the 27th March, 1818, off Fair Lights, about nine miles from the shore. The master of the smack gave in evidence, that on the morning in question, between eight and nine,

the Mercury, with five men on board, was sailing down the Channel at about two knots and with their sails slack; the wind was strong in the north. His crew saw the Contest running down the Channel with full sail at the rate of eight knots an hour. They saw the Contest first at a quarter of a mile distant, and hailed her several times, till she came upon them. She was bearing down upon them, and there had been any one in the fore-castle of the ship he could have heard the hail; no signal was given to it. They then put the helm of the Mercury round after seeing the Contest. She came up before. They had their sails out at the stern. If the Contest had heard that they might have avoided running on the Mercury. The Contest did not alter her course. The Contest struck the Mercury at the stern and split her; her crew was drowned, and the vessel cut in two. The remainder got on board the Contest. When they got on board the Mercury was nobody on deck except the man at the helm. The Contest then came from below upon the deck. The master of the Mercury told him that two of his men were killed. The captain said he was sorry for it, and confessed it was his fault. He said he sent down one watch and the other had not come up. They were all at breakfast together. The captain then, at the request of the master of the smack, gave him a letter to the defendant, in which he said that he was sorry for an accident that had happened in his running down a vessel.

PPENDIX TO CHRONICLE. 275

ie morning ; he did not essel that was trawling m till close upon her, ng down the helm he wn, the wind strong in

He also wrote therein d sent the letter by one v of the smack, and re- ie defendants to make s a compensation. This f the master was con- the other two men who ard at the time of the

A person on board an- ng smack, called the , swore that there were s on the deck of the the time she passed his had taken particular

consequence of her rly run down his ves- s a few minutes before nt. This evidence was ontradicted by the cap- our of the crew of the who swore that there ral persons on deck, he captain, at the time cident. They saw the a-head steering the re as the Contest.

not perceive her trawl- but took her 'for a essel. The Contest was n five to six knots an he captain told the to put the helm up, in pass the Mercury to

The Mercury then leeward across the the Contest, when the dered the helm of the, be put down, to pass vessel to the windward. helm was first put up, it was 300 yards off the

If the helm of the d been put up sooner,

she would have run against two vessels that were off her bows. If the smack had made way, the Contest would have passed her. She was prevented making way by her trawling-lines. The luff of the Contest's lee struck the Mercury's quarter. The trawling-rope took the bow of the Contest ; if this had been slacked a foot she would have passed. If the Contest had not gone to the windward when the Mercury did, she must have struck her in the middle. The accident happened at nine ; the time of changing the watch and of breakfast was eight ; the watch had been changed an hour.

The Lord Chief Justice said it was for the jury to say whether a proper watch was kept by the crew of the defendants' vessel. He observed, that the letter written by the captain at the time of the accident was more likely to contain an accurate account than his testimony given at a remote period. The account there given was consistent with the plaintiff's case.

The jury gave a verdict for the plaintiff. Damages to be ascertained out of court.

HIGH COURT OF ADMIRALTY, DEC. 10.

Sir William Scott gave sentence in the case of a mariner late of the ship *Elizabeth* ; out of which a question arose as to the liability of owners to the payment of seamen's wages for the full voyage, when from some accident (not of misbehaviour) they shall have been discharged on the course,

the sea. They at length
worked the vessel into a harbour
and the captain finding that
repairs would necessarily occupy
a considerable time, and could
not be completed before the
set in in those latitudes, accepted
a proposition which is declared
by him to have proceeded from
the crew, viz. that he should
charge them at that port, pay
them their wages up to the period
of their quitting the ship. The
men asserted a different tale
pleaded their great exertions for
the salvation of the ship and cargo,
and made it appear that the offer,
to which they reluctantly
acceded in preference to the
inconvenience and uncertainty of
remaining in a remote and unfrequented
corner of the island, came from the captain; that they
were conveyed to Wiessbay and
Elseneur and thence to London
where they arrived in the beginning
of the succeeding year. They asserted
that wages were due to them up to the time of
their return home from London
to Lisbon. The

APPENDIX TO CHRONICLE. 277

for a long period to the
y should receive the
ndustry to spend in un-
idleness, keeping holy-
the calamity which had
the owners. There was
, however, which he
lucted from the wages
due, which he could
The men were charged
overland passage, in
ce, to their ports of em-

Now passage-money
arily for the owners to
whether the men moved
and : if by land, it was
nge of vehicle ; but the
rests were still to be

On the whole view of
the Court decreed to
s their wages up to
val in England, their
penses, and, under the
tender which had been
n, all the expenses of
l.

OF KING'S-BENCH,
NDAY, DEC. 20.

Jury.—Wallace, Exe-

Good.—This action
ht by Mrs. Wallace, as
of her late husband, on
of insurance under-
the defendant on the
la, at and from New-
to Genoa : the interest
to be in Mr. Wallace
ed ; the loss by perils
. The interest was ad-
be as laid ; the ship
Newfoundland on the
tober, for Genoa, and
on her passage. The
t up was the conceal-
material letter. This

letter was written by the deceased
from Newfoundland on the 20th
of October, to the plaintiff, his
then wife, wherein he informed
her that the ship in question was
nearly loaded. This letter was
received by the plaintiff about
the 10th of December. The
plaintiff resided at Workington,
and at the end of January in the
following year she gave orders to
an insurance-broker to effect the
insurance, which was done ac-
cordingly.

The broker swore, that the
average voyage from Newfound-
land to Genoa was three months ;
and the course of the post from
Genoa to London was three
weeks or a month. At the time
he effected the policy he knew of
the receipt of the letter by the
plaintiff, but had never seen it.
At that time he had no suspicion
of the ship being lost, nor any
knowledge of her having sailed.
The letter was not shown to the
underwriters.

The defendant called a mer-
chant who had been some years
in the habit of trading to New-
foundland. He swore, that the
average voyage from Newfound-
land to Genoa in the month of
October was about a month ; he
had rarely known it exceed 35
days ; it was often done in 25
days. He stated that the course of
post from Genoa to London was
12 days on the average ; that if
he had seen the letter dated the
20th of October, from St. John's,
Newfoundland, stating the ship
to be nearly loaded, he should
have concluded that she must be
out of port in three or four days ;
the port lies near the ocean, and
a fair wind of half an hour will
carry

carry out a vessel. In January following he should certainly have considered her out of time, and would not have underwritten the policy at any premium.

Mr. Pitcairn, an insurance-broker, proved that in November he had done policies on the *Isabella* at the usual premium. On the 19th of January following he received orders from Devonshire to effect further insurances. At this time he was aware that the ship had sailed on the 21st of October, which circumstance he communicated to the underwriters, who, in consequence, demanded from 25*l.* to 35*l.* per cent. premium. He stated the average voyage from Newfoundland to Genoa to be 35 days.

The lord chief justice told the jury, that there did not seem to be any fraud on the part of the plaintiff in concealing the letter, but that made no difference: if the letter were material, the plaintiff could not recover, whether the concealment arose from ill-design or ignorance. It was for them to consider whether the letter were material or not. He then recapitulated the evidence, and the jury gave a verdict for the defendant.

COURT OF CHANCERY, DEC. 23.

Curtis v. Kingdom.—The Attorney General this day moved to dissolve an injunction which had been obtained by the plaintiff, who stated himself to be the author of an Account of the Colony of the Cape of Good Hope, with a view to the information of emi-

grants, and who complained that the defendant, in a publication in America and the British colonies, had pirated his work.

The learned counsel contended, that as the plaintiff had compiled his work from other authors, it was not to be considered such an original work as the Court would protect, and even supposing it were such, yet that the defendant was as much at liberty to compile from those authors as the plaintiff; and that, in fact, the defendant had compiled from those authors, and had not copied from the plaintiff's work.

Mr. Horne followed on the same side, distinguishing this case from those that had been previously decided, and pointing out the difference between the works themselves. The defendant's work was published at half-a-guinea, and contained the comparative merits of the various points of emigration; while the plaintiff's, published at a less price, contained only information relating to the Cape.

Mr. Pemberton, also for the defendant, contended that the plaintiff's work not having been entered at Stationers'-hall was not protected by the statute; and to show the different nature of the works, he pointed out the opposite conclusions to which the authors had arrived. The plaintiff stated that he sat down to his task with considerable prejudices against the Cape as a point of emigration, but had risen from it with very different impressions. The defendant, on the contrary, having himself entertained some intention of emigrating, after weighing the various climes of all the

tiff had stated. Other peculiarities of a similar description were pointed out. In particular the learned counsel observed, that Mr. Barrow had described the Cape under the four principal districts into which it was in his time divided. But the plaintiff had introduced a totally different political division, *i. e.* into seven districts, under which it was now governed; and in the very order and terms in which the plaintiff had introduced them, the defendant had copied them into his book. Now, though he must admit that the defendant, in writing a history of the Cape, could not do otherwise than insert the seven existing divisions, was it to be imagined that two gentlemen sitting down, even to compilations, upon which each fairly bestowed his time and labour, would arrive at exactly the same mode of describing such divisions in seven distinct instances, and express themselves in exactly the same words?

Mr. Raithby followed on the same side, and was proceeding to insist on a *bonâ fide* compilation or abridgment being as much intitled to the protection of the law as a work in other senses original, when his lordship expressing a full concurrence in this argument, the learned gentleman did not press it.

The Attorney General attempted to sustain his former line of observation, by beginning to read from Mr. Barrow and to point out errors of the plaintiff which defendant had corrected, when

The Lord Chancellor terminated the discussion, by observing this case to be somewhat dif-

ferent from the application of the original author of a work for his protection. In the absolute sense of the terms, neither of these were original works; both professed to be compilations from other and larger publications. "But if a man profess to give the world a compilation," said his lordship, "let him sit down fairly and compile. He must not copy even from a previous compilation; for his work would then be a piracy of that compilation. In this case, the defendant has not merely copied some facts, but many facts with the errors; and not only the facts, but the reasoning of the plaintiff. The injunction cannot, under these circumstances, be dissolved. The plaintiff is perfectly correct in coming here for the protection of his labours, which, both in law and equity, as far as I can see, must be given him."

BOARD OF EXCISE, DEC. 29.

The firm of Messrs. Thompson and Coates, wine and spirit-merchants of Holborn-hill, were charged under the 54th of Geo. III. chap. 8, commonly called the Cape Act, with having mixed a quantity of Port wine with a quantity of Cape wine, against the statute. There is a penalty of 300*l.* attached to the offence if it is with a fraudulent intention, but this being admitted not to be the case, the penalty was not proceeded for.

This case excited an extraordinary degree of interest amongst the wine trade in general, as the question at issue was as to the legality

APPENDIX TO CHRONICLE. 281

y of a common practice of
wines to improve their
. The court was crowded
sons in the trade, who were
s to hear the decision.

Fisher, a surveyor in the
, proved, that in taking the
of Messrs. Thompson and
, on the 19th of October,
nd an excess of eight gal-
a pipe of Cape wine of 98
, which was not accounted
the permits. On asking
ates to account for the in-
he stated it to have been
by the addition of eight
of Port wine, in order to
e the Cape wine. The
of the pipe, 100 gallons,
consequently seized. The
ig officer corroborated this
ent.

Coates appeared in behalf
firm, and said he stood
o answer the charge made
t the firm—the first in their

It was a question in which
haracter, which had hitherto
pre-eminent, was concern-
nd as it was but natural to
se that their prosperity
procure them many ene-
the account of the seizure
w the full progress of a lie
hout the trade, and from
re seizure of a pipe of wine,
increased to the discovery
ontraband connexion, and
mense seizure, to which a
y of 20,000*l.* was attached,
had afforded consolation to
envious of their prospe-
He should first contend
ie officer acted illegally in
g more than the excess of
gallons; secondly, that to
ort wine with Cape red wine
ot contrary either to the

letter or the intention of the act
of parliament; and, thirdly, that
they had done nothing inconsis-
tent with the revenue, which was
neither in fact nor intention in-
jured. On the contrary, he
should show that the revenue was
in reality benefitted. There were
only two laws in force against the
mixture of wines, namely, the
12th of Charles II. c. 25, and the
54th Geo. III. as to the seizure
of the whole of the pipe. He re-
ferred to the 27th clause of the
last-mentioned act, to prove that
the officer had no right to seize
more than eight gallons, the words
of the act being, "that the quan-
tity seized should be equal to the
quantity found in excess;" and
he contended, that there were
not the slightest grounds for sup-
posing that the act authorized the
whole to be seized. He had,
when asked by the officer to
account for the excess, openly
and candidly given him the truth,
which if he had had any improper
motives, he would have withheld,
and which it would have been im-
possible to have discovered, had
he not told it. He complain-
ed that the admission, which
had been made in honour and
good spirit to the officer, should
be converted to their disadvantage.
To prove that the act for which
they were charged was not con-
trary to the letter and spirit of
the act of parliament, he con-
tended that at the time the act
was made for the commutation of
the duties on Cape wine from
7*s.* 6*d.* per gallon to 2*s.* 6*d.* the
legislature had in contemplation
the frauds which might be com-
mitted, by mixing the Cape wine,
which paid the duty of 2*s.* 6*d.* per
gallon,

The act merely said, that "a person should mix or mingle wine with Port or other fine wines." Now had the contrary been intended, it would have been stated, as it was in the act of Charles II., for those who acts of parliament were sparing of words. The illegality was in mixing Cape wine with Port, or any other, which was the case in the present instance for the Port wine was mixed with the Cape. This was not a play upon terms, but a solid objection; as, for instance, in a domestic recipe it was said, "Mix a tea-spoonful of sulphuric acid with a pint of water," but it would be absurd to say, "Mix a pint of water with a tea-spoonful of acid," or, to say "Mix a tea-spoonful of milk with a cup of tea," was proper, but to say, "Mix a cup of milk with a tea-spoonful of milk," was manifestly contrary to common sense. As the practice not being injurious to the revenue, but on the contrary, he would not waste the time of the Court.

APPENDIX TO CHRONICLE. 283

of the defendant to the practice was not to the revenue. It ear so at first sight,

be found to be injure long run: if wine were permitted to mix es with the Cape wine, less duty, they might so much as to increase ption as a substitute nd thereby injure the

rt, in giving judgment, was no imputation upon the character of which the officers of had always made an report; and those who ed falsely to impeach ability deserved pu- The information did them with any thing r corrupt, and the uly turned on a point y this head the Court y of opinion that there a mixing within the the Act, and adjudged of the wine so mixed ted.

ARE ASSIZES.

W. Borough, Esq. igrath.—This was an formation filed by the eneral against the de- or conspiring with nown, to transport a the name of Judith erica.

y, after a short deli- ound the defendants a both counts in the . tter appears to have

been brought forward by govern- ment in consequence of the fol- lowing anonymous letter to the Lord-Lieutenant:—

“ My Lord ;—To leave you ignorant of an outrage perpe- trated within your government, unparalleled in the present state of society, and perhaps seldom surpassed in the most oppressive feudal era, would be to neglect a duty to my country, and to the victim of barbarous cruelty—an outrage, too, premeditated, plan- ned and carried into effect by one of his Majesty’s justices of the peace, the supposed guardian of his Majesty’s subjects and the preserver of the laws, who, though destitute of humanity, ought, from a recollection of the trust reposed in him, to have risked his life in protecting her whom he made the object of his unlaw- ful and more inhuman machina- tions. I will now, my lord, state as clearly as I can this occur- rence, and should I deviate in the least from what actually took place, it is because I reside re- mote from the scene of tyranny and leave to your lordship the close investigation of the matter, and not from a wish to add to a crime already black enough.

“ About the middle of August last, Wm. Borough, esq. a ma- gistrate of the county of Clare, and a half-pay lieutenant of his Majesty’s royal navy, assisted by some ruffians, came to a poor and indigent man of the name of Lynch, living in a miserable hut and far distant from the house of this justice ; this unoffending and unsuspecting man was standing near his hut, his daughter not far off, when he was addressed by Mr.

by Mr. Borough's men
his order dragged to a l
by. The distracted fath
Mr. Borough why he act
who, combining stratage
force, said that he had a su
for her from major War
the chief of the police
rush, within three miles of
this happened. This was
swerable; and all that wa
implored was, that his
daughter might be permit
go a few yards to her mis
dwelling, that she might p
from her ill-supplied war
such clothes as might enabl
to appear as well-attired a
could in answering the fict
summons, and to relate to
mother this inexplicable and
tile proceeding but feroc
inexorable, and mysterious
any officer of the inquisitic
Goa during its most drea
epoch, this Mr. Borough den
—and observe, my lord, what
lowed. This ill-fated girl
conveyed in the boat, into wh
she had been first forced to
A...

PPENDIX TO CHRONICLE. 285

niquity, dispose of the wretch's freedom for five years for a sum adequate to the expense of her passage, should it be so) that he is not to be removed from the authors of her misfortune without compensation for the wrong peculiarly unfortunate to the major Warburton, close to which it happened, should be of this affair: for ignominy must be, or it could not be with impunity, as it has been a crime of less magnitude to call forth the vigils of this hitherto-supposed officer; for I'll venture that since his appointment to his situation in that more flagrant breach of duty has not called for his removal, and particularly his name and authority are needed in accomplishing the deed. One of your Majesty's privy counsellors, the hon. J. O. Vandeleur, has every information your Majesty may require on this subject. As I am informed it happens to his estate. To you, my Lord, in whom justice emanates and in whose power it is to assist this much injured pauper in restoring his stolen child to its most proper to adopt it. Sums of money are offered and threats held out, to seduce and deter the parent from pursuing his claim whatever by which he may recover his lost child. Fifty have been offered the father the liberty of his daughter to sink in oblivion what

As yet he has withstood temptation; but should he even be purchased, it

will not, cannot operate as a Lethean draught upon every mind.

"THE FRIEND OF THE OPPRESSED.

"To Earl Talbot, Lord-Lieutenant and General-Governor of Ireland."

HIGH COURT OF ADMIRALTY.

The Ship Dolores, Carbonel, Master.—In this case the courtesy of the Court permits the commanding officer of a station to moot the question of his right to the flag's proportion of one-eighth of the bounty allowed by the act of parliament of 47th of the king (for the abolition of the slave trade), "to the officers, seamen, mariners and soldiers, on board of any of his Majesty's vessels of war at the capturing of any other vessels which shall be by them taken engaged in the slave trade, and afterwards prosecuted and condemned as prizes of war," at and after certain rates for men, women and children, respectively. It was stated in the course of the argument, that few or no cases of a similar claim were to be found on the records of the Court, the bounty or head money having been awarded generally to the actual seizers of the prize; which the learned counsel for the captors contended was the intention of the Abolition act, as a farther encouragement to the vigilance and exertions of captors. His Majesty's ship *Ferret*, commanded by captain Stirling, was on her return voyage from St. Helena, whither she had accompanied the squadron under the orders of admiral sir George Cockburn,

Cockburn, appointed to convey the person of Buonaparte to that island. On the 4th of April 1816, the Ferret captured the American armed schooner Dolores, capt. Carbonel, engaged in the prosecution of the slave trade. She was carried into Sierra Leone, having on board no less than 250 unfortunate Africans of all ages, men, women and children, and was condemned on the 13th of May following as English and American property, and consequently as good and lawful prize. The 47th of the King provides, that bounties in such cases of capture and condemnation shall be paid by the navy board, in the same manner as "head money" is directed to be paid under the 45th of George 3rd, to the officers, seamen, &c. on board, according to the proclamation for the distribution of prize-money already issued and extant. Now, on the 16th of March 1808, there issued an order in council, which directs the distribution to be made in the manner we have already mentioned. As no other order in council on the subject was promulgated until the month of July 1817, distribution in this case, it was contended, must follow that of March 1808.

It appeared that captain Stirling's instructions, which were dated from on board his Majesty's ship Northumberland, were simply to reach Spithead with all possible diligence, and upon his arrival to convey sir George Cockburn's dispatches, of which he was the bearer, immediately to government. No mention was made of any course to be pur-

sued in case of prizes that be captured, nor was an event contemplated by the

Dr. Adams and Dr. L on the behalf of sir George Cockburn, contended, that as an officer of the station from the Ferret was dispatched had a legal claim to one of the bounty awarded by parliament, in the same way as was to his proportion of the proceeds of lawful prizes in reply to the great number of logies which the learned men on the other side resort to for the purpose of proving that the distribution of money for bounty allowed slaves assimilated to the distribution of property flowing from revenue seizures, they were defective in the very point which was to be required that analogy should bear most strongly. In the very part which respects the reward of flag-officers there was a total failure, as regarded the proportion, but as regarded the fund of which flag-officers were so rewarded.

Dr. Jenner and Dr. L ton, for the seizers, objected that bounties severally of 15*l.* and 5*l.* each, were granted by government for every man and child found on board slave-ships, in substitution of prize-money. The original proclamation by which the distribution of prize-money was regulated was dated in 1764, and directed three-eighths to be paid to the actual captors; the admiral was entitled to it, to have the remaining one-eighth, or share, theretofore allowed

APPENDIX TO CHRONICLE. 287

the money was to be seized by the flag-officer, who was to make such disposition of it as he might be directed by the court-martial. By an order in council, the learned counsel, the first instance in which of the sort had been made by the other learned counsel, that if so, it was better that captures had not been made under flag-officer. Now, with respect to the admiral's station, it was not necessary in time of war that the capture should be made within those limits to establish a claim. In this case, the reward was specified to the seizers; the flag-officer had no right to the bounty because his claim, if it could be a diminishing one, was not contemplated by the court-martial. The 47th of the Act was decidedly assimilated to the capture like the prizes made under the Acts. The 13th of the Act would observe, that the court would observe, that the court appropriated the penalties in the same manner.

Mr. Scott said, a most important distinction was to be made in this case. The court-martial was to be directed by the pleasure of his Majesty. The bounty itself he thought should be given in substitution of the proceeds.

The learned counsel admitted that the court-martial, considering that the capture was of illegal importation, the Crown was entitled to the proceeds; but the court was only entitled to half that moiety which

was so given to the Crown by the proclamation of 1764.

Dr. Adams observed, that the difference in this case was, that there was no fund out of which the flag-officer could be so remunerated.

The learned counsel denied that in this instance the necessity of his remuneration existed, as in the case of actual war. The same "*animus capiendi*" could not be supposed to actuate him, as in times when it was his duty to be upon the look-out for objects upon which he might exercise it. Under these circumstances they submitted that the claim of sir George Cockburn could not be sustained. Nothing could be more clear than that this case had nothing to do with war; and the only question for the Court was, whether the legislature, in issuing their proclamation of 1807, intended to give the flag-officer his flag-share? From the year 1764 up to the passing of the Abolition Act, a period of more than forty years, no case like the present had occurred;—a fact which went to show that seizures of this nature were not subject to the deduction of any flag-officer's share of one-eighth. And what would be the consequence of such deduction? Why, that the seizers would thus take a less share of the property seized than they would have done before the passing of the Abolition Act, a most startling proposition indeed. This act, which surely intended further encouragement and reward, contained rules and regulations for the remuneration of captors and seizers under particular circumstances.

cumstances. The Act gave 40*l.* a head in the case of vessels of his Majesty which should capture, as prizes of war, other vessels engaged in the slave trade. Next came the case of seizures in port: the proportions were 13*l.* per head, to be divided thus:—one share of 13*l.* to the actual seizer, one other 13*l.* to the King, and one other 13*l.* to the commanding officer, according to the ancient practice. The third case was, the case of vessels seized upon the high seas during a time of peace. The 11th sect. after first giving 13*l.* per head in the case of any such seizure made at sea by his Majesty's officers, went on to say (this was in the stat. 4 of Geo. 3rd), there should be paid to the commander or officer who should so seize or inform or prosecute, 20*l.* for every man, 15*l.* for every woman, and 5*l.* for every child so seized in vessels captured and so condemned. Now, the bounty was 40*l.* in the case of seizure in a time of war. Then the whole was given. In this other case the Court would observe it was divided into three portions of 13*l.* each, where the vessel was seized in port; 39*l.* being the nearest amount to 40*l.* which could be so divided without a fraction. In the case of a seizure made in time of war, 20*l.* were assigned, which was the moiety of the 40*l.* Now, would the learned counsel contend, that by diminishing the moiety of the seizers they follow-

ed the spirit of the Act statute expressly recognising persons who were to receive bounty, and provided for contribution by the Crown: one word was there about the flag-officer's claim of one moiety. The Court had observed that bounty was substituted for property; so it was held in *Macauley's* cases, argued by sir Wm. Grant. Suppose the case of a ship captured; the flag-officer shall be held (in the capture was beyond the rank of his station) to have one moiety to the flag-eighth of it, but to the value of the ship captured in her, his claim for the eighth shall be held to be one moiety. How absurd this would be! The moiety of the ship's value is the property of the seizer; and the eighth, while the moiety is out any deduction for the eighth, while the moiety is for the substituted value of slaves shall be liable to the claim. Why was not the flag-officer equally assisting in the capture of the vessel and the slaves. As to the value of slaves, the importation of one bale of illegal goods is equally liable to the punishment of the condemnation.

The learned judge declared his intention of pronouncing his decision in this case at a future day; in the meantime he must acknowledge the impression upon his mind was in favour of the flag-officer's claim.

PUBLIC GENERAL ACTS,

*the First Session of the Sixth Parliament of the United
of Great Britain and Ireland.*—59 GEO. III. A. D. 1819.

to provide for the care
majesty's royal person
the continuance of his
illness.

for reviving and fur-
nishing, until the 1st day
1819, an act made in the
year of his present
intituled 'an act to ex-
act made in the 18th
his late majesty king
the second, to explain
and the laws touching
tions of the knights of
to serve in parliament
and, respecting the ex-
of hustings and poll
as far as regards the city
minster.'

for continuing to his
certain duties on malt,
tobacco and snuff, in
itain; and on pensions,
d personal estates, in
for the service of the

for raising the sum of
millions, by exchequer
the service of the year

to ascertain the ton-
vessels propelled by

to enable his majesty
the distribution of any
XI.

reward awarded by the commis-
sioners of the customs of excise
to the officers of the army, navy,
or marines, for apprehending
smugglers, in such manner as his
majesty shall be pleased to ap-
point.

An act to regulate the cutlery
trade in England.

An act to continue, until the
25th of March 1820, an act of
the last session of parliament, for
preventing aliens from becoming
naturalized or being made or be-
coming denizens, except in cer-
tain cases.

An act for punishing mutiny
and desertion; and for the better
payment of the army and their
quarters.

An act for the regulating of
his majesty's royal marine forces
while on shore.

An act to indemnify such per-
sons in the United Kingdom as
have omitted to qualify them-
selves for offices and employ-
ments, and for extending the time
limited for certain of those pur-
poses respectively, until the 25th
of March 1820, and to permit
such persons in Great Britain as
have omitted to make and file
affidavits of the execution of in-
dentures of clerks to attorneys
U and

290 ANNUAL REGISTER, 1819.

and solicitors, to make and file the same on or before the first day of Hilary Term 1820, and to allow persons to make and file such affidavits, although the persons whom they served shall have neglected to take out their annual certificates.

An act to amend the laws for the relief of the poor.

An act to continue two acts of the 56th and 58th years of his present majesty, for reducing the duties payable on horses used for the purposes therein mentioned, to the 5th of April 1821: and to reduce the duties chargeable under certain acts of the 48th and 52nd years of his present majesty, in respect of certain horses, mares, geldings and mules.

An act to continue, until the first day of July 1823, an act of the 46th year of his present majesty, for permitting the exportation of wool from the British plantations in America.

An act to continue, until the 1st of July 1821, an act of the 54th year of his present majesty, for granting certain duties on merchandise imported into Ireland from any place within the limits of the charter granted to the united company of merchants of England trading to the East Indies.

An act to carry into effect the treaty with the Netherlands relating to the slave trade.

An act to amend an act of last session of parliament, for carrying into execution a convention made between his majesty and the king of Portugal for the preventing the traffic in slaves.

An act to make perpetual an act of the 44th year of his pre-

sent majesty for permitting the exportation of salt from the port of Nassau in the island of New Providence, the port of Exuma and the port of Crooked Island in the Bahama Islands, in American ships coming in ballast.

An act to render, until the 5th of July 1820, the growing produce of the consolidated fund of the united kingdom, arising in Great Britain, available for the public service.

An act to enable the commissioners of his majesty's treasury to issue exchequer bills, on the credit of such aids or supplies as have been or shall be granted by parliament for the service of the year 1819.

An act to amend several acts for purchasing an estate for the duke of Wellington.

An act for the further regulation of his majesty's household and the care of his royal person, during the continuance of his indisposition.

An act to restrain, until the end of the present session of parliament, the governor and company of the Bank of England from making payments in cash under certain notices given by them for that purpose.

An act to restrain, until the end of the present session of parliament, the governor and company of the Bank of Ireland from making payments in the gold coin of this realm, under certain notices given by them.

An act to enable his majesty to fix the rate and direct the disposal of freight money, for the conveyance of specie and jewels on board his majesty's ships and vessels.

An act for fixing the rates of subsistence

PENDIX TO CHRONICLE. 291

to be paid to inn-
others on quartering

facilitate the trial of
mitted on board ves-
d on canals, naviga-
and inland naviga-

empower magistrates
the court of quarter

repeal the duties on
ali, and on articles
mineral alkali and
s, and to impose other
thereof.

or vesting in commis-
line of road from
in the county of
angor Ferry in the
arnarvon, and for dis-
e trustees under se-
the 17th, 28th, 36th,
47th, and 50th years
nt majesty, from the
ir and maintenance
l for altering and re-
much of the said acts
e said line of road.

enable certain com-
fully to carry into
d conventions for li-
laims of British sub-
ners, against the go-
France.

o continue until the
uly 1822, and amend,
an act made in the
his present majesty
3, until the 5th of
additional duties of
eat Britain, as relates
and snuff, and certain
ces.

o continue until the
uly 1821, several acts
and 55th years of his

present majesty, respecting the
duties of customs payable on mer-
chandize imported into Great
Britain from any place within the
limits of the charter granted to
the united company of merchants
of England trading to the East
Indies.

An act to amend and render
more effectual several acts for
enabling the commissioners for
the reduction of the national debt
to grant life annuities, and to em-
power the said commissioners to
grant annuities for lives or years,
for promoting the beneficial pur-
poses of the fund commonly called
the Waterloo Subscription.

An act to amend an act passed
in the 55th year of the reign of
his present majesty, intituled
"An act, to facilitate the admin-
istration of justice in that part
of the united kingdom called
Scotland, by extending trial by
jury to civil causes."

An act to repeal certain acts
now in force for regulating the
making and sale of bread out
of the city of London and the
liberties thereof, and beyond the
weekly bills of mortality and ten
miles of the royal exchange,
where no assize is set; and for es-
tablishing other provisions and
regulations relative thereto.

An act for further regulating
the qualification of members to
serve in the United parliament of
Great Britain and Ireland.

An act to enable his majesty
to make regulations with respect
to the taking and curing fish on
certain parts of the coast of New-
foundland, Labrador, and his ma-
jesty's other possessions in North
America, according to a conven-

An act to secure spirituous liquors in the possession of officers in certain cases.

An act to establish regulations for preventing contagious diseases in Ireland.

An act for raising the sum of twelve millions by way of annuities.

An act to authorize the receipt and appropriation of certain moneys voluntarily contributed by most noble John Jefferies marquis Camden, in aid of the post office service.

An act to amend an act passed in the 57th year of his present majesty, for the more effectual punishment of murders, manslaughters, rapes, robberies, burglaries committed in places not within his majesty's dominions, as relates to the trial of murders, manslaughters, rapes, robberies, burglaries, committed in Honduras.

An act to explain and amend certain acts relative to the course of session in Scotland.

An act to abolish appeals in murder cases.

APPENDIX TO CHRONICLE. 293

act to carry into effect a union of commerce concluded between his majesty and United States of America, treaty with the prince of Portugal.

act to extend the provision of three acts of the 52nd, and 57th years of his present majesty, for allowing British sugar and coffee, and articles imported into British ships, to be exported to America in foreign vessels and to permit articles, the produce of America, to be imported into Bermuda in foreign ships to certain other articles.

act to make further regulations as to the payment of navy orders.

act to alter and amend certain laws of excise in respect to and rock salt.

act for facilitating the recovery of the wages of seamen in merchant service.

act to extend the provisions made in the 55th year of his present majesty, for the payment of wages due to dead seamen, and marines, to those due to intestate bastards.

act to permit the archbishops of Canterbury and York, the bishop of London, for the time being, to admit persons to holy orders especially for the clergy.

act to enable counties and burghs in Scotland to give royal burghs situated there the purpose of improving, repairing, or rebuilding their walls; or to improve, enlarge, or build common gaols of counties and burghs which are not the burghs of royal burghs.

An act for the protection of banks for savings in Scotland.

An act to explain an act passed in the 55th year of his present majesty, for purchasing an estate for the duke of Wellington.

An act to facilitate proceedings against the warden of the fleet, in vacation.

An act for granting to his majesty a sum of money to be raised by lotteries.

An act to make further provisions for the regulation of cotton mills and factories, and for the better preservation of the health of young persons employed therein.

An act to continue until the 30th day of July 1820, an act of the 54th year of his present majesty, for the effectual examination of accounts of the receipt and expenditure of the colonial revenues in the islands of Ceylon, Mauritius, Malta, Trinidad, and in the settlements of the Cape of Good Hope.

An act for exonerating the manor of Dawlish, in the county of Devon, from the claims of the crown against the estate of John Inglett Fortescue, esquire.

An act to prevent the enlisting or engagement of his majesty's subjects to serve in foreign service, and the fitting out or equipping in his majesty's dominions vessels for warlike purposes, without his majesty's licence.

An act to repeal certain acts of the parliament of Scotland regarding duelling.

An act for raising a loan of twelve millions from the commissioners for the reduction of the national debt.

An act to grant to his majesty an

ceed a certain sum.

An act to allow the im-
tion of tobacco from the
Indies and other places; as
confining the exportation of
bacco from Great Britain, and
importation thereof into Ire-
to vessels of seventy tons bur-
and upwards.

An act to continue until the
day of July, 1820, two acts, n-
in the 54th and 56th years of
present majesty, for regulating
trade in spirits between Great
tain and Ireland reciprocally.

An act to establish farther
gulations respecting advances
the Bank of England for
public service, and the purcha-
of government securities by
said Bank.

An act to continue until the
24th day of June, 1820, an-
for amending the laws relating
the allowance of the bounties
pilchards exported.

An act for transferring the
duty of the supervisor of the
cciver general's receipts and pa-
ments to the comptroller-
of the

APPENDIX TO CHRONICLE. 295

of the right of common of
in the New Forest, in the
of Southampton; for re-
certain parts of two acts
in the 39th and 40th and
nd years of his present ma-
and for the better collec-
nd recovery of the Gale
the forest of Dean, in the
of Gloucester.

act to grant to his majesty
duties of excise in Ire-
malt.

act to repeal the annual
duties upon malt, tobacco
uff, continued by an act
present session of parlia-
und to grant other duties in
ereof for the service of
ar ending the 5th day of
620.

act to continue until the
f October, 1824, an act
the 57th year of his pre-
majesty, for suspending a
the duties on sweet or
rines.

act for the prevention of
n the duties on soap; for
ing the books or papers
Specimens, left by officers
se on the premises of trad-
l for requiring more speedy
nt of the excise duties on
calicoes.

act for giving additional
s in applications to courts
ity regarding the manage-
of estates or funds belong-
charities.

ct to enable justices of the
n Ireland to act as such,
in cases, out of the limits
counties in which they ac-
re; to make provision for
cution of warrants of dis-
granted by them; and to

authorize them to impose fines
upon constables and other offi-
cers for neglect of duty, and on
masters for ill usage of their ap-
prentices.

An act to continue for one
year, and from thence until the
end of the then next session of
parliament, an act, made in the
56th year of his present majesty's
reign, to make provision for se-
curing the profits of the office of
clerk of the pleas of his majesty's
court of exchequer in Ireland.

An act to explain and amend
two acts, passed in the 39th and
40th and 47th years of his present
majesty, concerning the disposi-
tion of certain real and personal
property of his majesty, his heirs
and successors.

An act for confirming ancient
separations of towns corporate
from parishes, in regard to the
maintenance of the poor.

An act to facilitate the trials
of felonies committed on stage
coaches and stage waggons and
other such carriages, and of felo-
nies committed on the boundaries
of counties.

An act to extend the provi-
sions of an act made in the forty-
sixth year of his majesty's reign,
intituled "An Act for the more
speedy trial of offences committed
in distant parts upon the seas," to
the trial of offences committed in
Africa against the laws for abo-
lishing the slave trade.

An act to limit the continuance
of the operation of the several
acts for imposing fines upon town-
lands and places in Ireland, in re-
spect of offences relating to the
unlawful distillation of spirits, and
to amend the said acts; and to
provide

... to amend an act
50th year of the reign of
sent majesty, relating to
in Ireland.

An act to enlarge the
of an act passed in the 56th
of his present majesty, rela
the transportation of offend
continue until the 1st day of
1821.

An act for farther reg
ing the appointment of g
keepers in Wales.

An act to repeal so muc
two acts as require certain
counts to be laid before pa
ment; and to amend an act
the 26th year of his present
jesty, relative to laying an
count before parliament.

An act to continue until
5th day of July, 1820, cert
laws of excise with regard
crown glass, and flint and ph
glass, and to alter certain la
with regard to flint glass.

An act for granting to his m
jesty an additional countervailin
duty on spirits extracted in Eng
land or Ireland respectively, and
imported into ...

APPENDIX TO CHRONICLE. 297

evying duties in New South
s; to continue until the 1st
of January, 1821, certain
s; and to empower the said
rnor to levy a duty on spi-
nade in the said colony.

act to repeal the duties and
backs of excise on plates or
s of plate glass, and to im-
other duties and allow other
backs in lieu thereof.

act to defray the charge of
ay, clothing and contingent
ses of the disembodied mi-
in Great Britain; and for
ing allowances in certain
to subaltern officers, adju-
quarter-masters, surgeons,
ons mates and serjeant ma-
of militia, until the 25th of
h, 1820.

act for defraying, until the
of June, 1820, the charge of
ay and clothing of the mili-
f Ireland; and for making
ances to officers and quarter-
ers of the said militia during
s.

act to give relief in certain
of assessment of taxes in
t Britain, and to persons
ounding for their assessed
in Ireland, from an annual
sment, for three years, from
th day of January, 1820.

act to explain and amend
t passed in the 31st year of
majesty king George 2nd, for
encouragement of seamen
oyed in the royal navy, as it
es to certain allowances to
agents.

act for establishing a regis-
of colonial slaves in Great
in, and for making farther
sion with respect to the re-
d of slaves from British co-
s.

An act to make farther regu-
lations for the prevention of smug-
ling.

An act to permit vessels, under
a certain tonnage, to trade be-
tween the united kingdom and
New South Wales.

An act to empower the officers
of the customs in Great Britain
to allow reports of vessels car-
goes to be amended; to require
goods which have been ware-
housed without payment of duties,
or, being prohibited, warehoused
for exportation to be put on
board vessels by persons licensed
for that purpose; to direct that
cocquet and bond shall be re-
quired for slate and stone carried
coastwise; and to empower offi-
cers of the customs to administer
oaths.

An act for amending an act
made in the 43rd year of the reign
of his present majesty, for regu-
lating the vessels carrying pas-
sengers from the united kingdom
to his majesty's plantations and
settlements abroad, or to foreign
parts, with respect to the number
of such passengers, and for mak-
ing farther provision for that
purpose.

An act to admit certain goods
imported from the East Indies
to entry and payment of duty
without being warehoused; and
to permit the exportation of cer-
tain East India goods to Guern-
sey and Jersey, and the removal
of certain East India goods to
Liverpool, Lancaster, Bristol and
Glasgow, for exportation.

An act for requiring the like
proof to obtain drawback of duty
on coals used or consumed in
calcining or smelting tin, copper,
or lead ores, in the counties of
Devon

by secrecy, and re-
venting frauds and abuses t

An act to continue in
until the expiration of the
lendar months after the
mencement of the next ses
parliament, three acts of hi
sent majesty, for the relief
solvent debtors in England.

An act to continue the se
acts for the relief of inso
debtors in Ireland until the
of June, 1820.

An act for raising the sum
sixteen millions five hund
thousand pounds by Excheq
bills, for the service of the y
1819.

An act for raising the sum of 1
millions British currency by Tr
sury bills in Ireland for the s
vice of the year 1819.

An act for applying cer
monies therein mentioned for
service of the year 1819; and
farther appropriating the supp
granted in this session of par
ment.

P A T E N T S.

New Patents in the Year 1819.

J. Towers Shears, of Fleet-copper-smith; for a method of the cooling of liquids, which may be applied to the distillation of vapour, and may be used in the condensing of steam in the process of distilla-

J. Ikin, of William-street, machinist; for an improved method or methods of casting or manufacturing fire-iron bars or gratings.

J. Nes, of Bradford-street, iron-founder, and *J. Ley*, of Birmingham, re-inventors, for an improvement to blast and steam-engines.

J. Ash, jun. of Bermondsey, for an improvement in the method of preparing malt, and other grain.

J. Benjamin, of Plymouth, umbrella manufacturer; for an improvement in the composition, varying in colour, the purpose of rendering linen and cloth, durable, free from cracking, and proof; and also for preventing every description of wood from rot and weather.

J. Add, of Swansea, organ-builder, for certain improvements in the rolling of iron, and in the making of wire, nails, brads and

J. Church, of Turner-

street, Commercial-road; for certain improvements in the machinery for making nails and spikes of various forms and dimensions, and also wire and screws of iron, copper, brass, or any other suitable metal.

H. C. Jennings, of Carburton-street, Fitzroy-square, esq.; for an improvement in the mariners' compass.

R. Eccles, of Edinburgh, esq.; for certain improvements in the masts, sails and rigging of ships or sailing vessels.

T. B. Mills, of Linton, Nottinghamshire, bleacher; for certain improvements on machinery for the finishing of cotton, Angora and lambs-wool stockings.

M. St. Leger, of Camberwell, Surrey, gentleman; for an improved method of making lime.

T. Hills, of Bromley, merchant, and *Uriah Haddock*, of the City-terrace, City-road, chemist, for an improvement in the method of making sulphuric acid.

J. Johnson, coach-maker, of Long-acre, for a machine called the Velocipede, or swift walker.

J. Dyson, of Watford, Herts, for certain apparatus for the culture and tillage of land.

G. Michall, of St. Austle, Cornwall, builder; for improvements in the method of opening and

fordshire, iron-master, for a
kind of bobbin used in
spinning.

W. Lester, of the Corn
road, engineer; for a method
of increasing and projecting
the power produced by lamps or
means.

G. Atkinson, of Leeds, c
manufacturer; for a combi
of materials to produce an
resembling bombazene.

W. Eaton, of Wiln-mills,
byshire, cotton-spinner, for
improvements in the machi
employed in spinning cotton
wool.

R. Winch, of Shoe-lane, I
ters' carpenter and press-ma
and *R. Holden*, of Stafford-str

St. Mary-le-bone, gentlem
for machinery to communic
motion and power to various ot
machinery which requires re
peating or alternating motion

Thomas Parker, jun. of Seve
oaks, bricklayer, for a method
of regulating and im
proving the draught of chim
neys.

APPENDIX TO CHRONICLE. 301

eighton, of Glasgow, civil
; for a new method of
ing the admission of steam
es or other vessels used
eating of buildings.

ichell, of Great Rider-
urgeon; for his method
ing, for medicinal pur-
ne agency of atmospheric
d or gaseous substances,
external surface and to
the internal cavities and
of the human body.

ennet, of Manchester,
per, for certain improve-
filtering vessels.

wyer, of Kidderminster,
manufacturer; for an im-
nt in the machinery for
Brussels and cut pile car-

een, of Lisle-street, Lei-
square, saddlers' ironmon-
r an improvement upon
ig billet for harness.

reston, of Burr-street,
for an improvement in
k glass rim and safety-

I. Palmer, of Regent-
Westminster, esq.; for a
de of purifying certain
gas.

M. Sedgewick, of Bishops-
thin; for a valuable pro-
m that part of the refuse
h which will not of itself

ode, of Hinkley; for an
is to assist persons to
from fires in dwelling-

att, of Ratcliffe-highway,
; for gilding quills and
y manual labour and che-
erations, to render them
irable.

N. Desforges, of Bucklersbury,
merchant; for improvements in
propelling boats, &c.

J. Bogaerts, of Air-street, Pic-
cadilly, gentleman; for a method
for raising and lowering water on
canal locks.

E. Woolley, of Bilston; for an
improvement in the machinery
for making wood-screw forgings.

J. Inglelew, of Little College-
street, licensed victualler; for
effecting a saving in the consump-
tion of articles of fuel, by the ap-
plication of materials not hitherto
used for that purpose.

M. Poole, of Lincoln's-inn,
gentleman; for the application of
cements to different purposes,
such as modelling statues, making
slabs, &c.

J. Grafton, of Edinburgh, en-
gineer; for a method of making
carbonated hydrogen gas, for the
purpose of illumination.

J. Hadden, jun. of Aberdeen,
woollen manufacturer; for an im-
provement in preparing, roving
and spinning of wool.

G. J. Clark, of Bath, working
cutler; for an apparatus for the
more easily applying the drag to
a carriage wheel.

W. Styles, of Islington, carpen-
ter; for improvements in ma-
chinery for sifting cinders and
discharging the cinders into a
convenient receptacle.

E. H. Collyer, late of Boston,
America, gentleman; for an im-
provement in fire-arms of various
kinds.

J. Frazer, of Long-acre, cop-
persmith and engineer; for a new
and original junction of tunnels
in a steam-boiler; also new flues
in the steam-boiler, or the fur-
nace

different kinds, calculate
render them more safe and
modious.

G. Clymer, late of Philadelphia; for certain improvements on ships' pumps.

J. Chancellor, of Saville-Dublin, watch-maker; for improvement in turning the of music-books.

J. Ruthven, of Edinburgh; for an improved drawing of coaches.

A. Adie, of Edinburgh, physician; for an improvement on air-barometer, to be called Sympiesometer.

W. Johnson, of Salford, brewer for improvements in the construction of furnaces, whereby a great saving in the consumption of fuel is effected.

H. Favoryear, of Castle-street, Leicester-square, gentleman; for a machine for the cutting of veneer in wood and other substances.

C. Tanner, of Plymouth, tanner; for improvements in curing raw hides and skins, by the application of

APPENDIX TO CHRONICLE. 303

; for apparatus for pre-
tage-coaches from over-

Cherry, of Croydon,
y surgeon; for a box,
frame-forge applicable
ng.

ill, of Paulton, gentle-
r a machine for cure of
limnies.

, jun. of Plymouth, rec-
a method of diminishing
of ardent spirits and
ds during the process of
n.

thomas, of Greenhill's-
gineer; for an improved

pson, of Edinburgh esq.;
thod of conveying gas
r illumination to the
and at the same time to
the burners.

bank, of London, mer-
r machinery for cleaning
e.

llis, of Upper Norton-
ent.; for an improve-
n the pedal harp.

rd, of Brighton, chemist;
thod of hardening and
g tallow.

npson, of Birmingham,
for a method of con-
spring hooks for coach

skemore, of Millingriffith
nd *J. James*, of Lower
k; for amorphous metal
nd likewise a method of
ng, or rendering crys-
the surface of tin, iron,
r plates.

irner, of Birmingham,
aker; for improvements
plating of copper or

R. Ormrod, of Manchester,
calico-printer; for an improve-
ment in rollers for calico-print-
ing.

J. W. Phipson, of Birming-
ham; for an improvement in gas-
pipes.

T. Wilcox, of Bristol; for a
pneumatic stove for warming
houses.

U. Haddock, of Mile End; for
a method of producing coal-gas.

W. Sawbridge, of Coventry;
for improvements on engine-
looms for weaving figured rib-
bons.

H. Booth, of Liverpool; for a
method of propelling boats.

J. Lowder, of Walcot; for ma-
chines for preparing hemp, flax
and other fibrous vegetable sub-
stances.

J. Mason, of Birmingham; for
a method of working the oars or
paddles of boats and ships.

D. Gordon, of Edinburgh; for
moveable gas-lights.

Z. Barratt, of Windmill-street;
for an invention for curing,
sweeping, ventilating and extin-
guishing chimnies.

J. Hollingrake, of Manchester;
for applying a method of casting
metallic substances in various
forms, with improved closeness.

T. Cooper, of Weston-by-Wee-
don; for improvements on ma-
chines or ploughs for under-
draining land.

G. Atkins, of Hornsey-road;
for an instrument for ascertaining
the variation of the compass.

W. Rutt, of Shacklewell, printer
and stereotype founder; for im-
provements in printing machines.

T. Barry, of Plough-court;
for his improved appurtenances

*

for

alkali.

J. Lewis, W. Lewis and Davis, of Brinscomb; for improved application of wires for raising the pile of len and other cloths. The for improved application of mechanic powers to laying, setting and polishing the pile of len or other cloth.

J. Nedson, of Linlithgow for discovery of vegetable substance not hitherto used by tanner leather dressers, and of vegetable substances not hitherto used by dyers.

W. Brunton, of Birmingham for improvements in steam engines and their furnaces, by which a saving in fuel is effected.

N. Conne, of St. Mary-le-Str for glass-engraving; for an improvement applicable to lamps for domestic purposes.

J. Scheffer, of Blackfriars for a machine for writing, and the pennographic instrument

W. Good, of Bridport for ship-building; for an improvement



APPENDIX TO CHRONICLE. 305

Christened in the 23 out-parishes in Middlesex and Surry 13236—Buried 9992.
Christened in the 10 parishes in the City and Liberties of Westminster 4175—Buried 4014.

DISEASES AND CASUALTIES.

Abcess	82	Fever	1093	Veneral	14	Excessive Drinking	4
Apoplexy and Suddenly ..	178	Fever (Typhus).....	57	Rheumatism	44	Executed *	10
Asthma	799	Fistula	6	Rupture	10	Found Dead	10
Bedridden	1	Flux	13	Scrophula	98	Fractured	2
Cancer	81	Gout	41	Small Pox	712	Frightened	4
Childbed	299	Hemorrhage	57	Sore Throat and Quinsey...	19	Killed by Falls and several } other Accidents	65
Consumption	3839	Hooping Cough	750	Spasm	42	Killed by Fighting	1
Convulsions	3076	Hydrophobia	2	Still-born	673	Killed by Lightning	1
Croup	91	Inflammation	1943	Stone	94	Murdered	2
Diarrhoea	2	Insanity	71	Stoppage in the Stomach...	18	Poisoned	2
Dropsy	684	Inflammation of the Liver..	240	Suddenly	310	Scalded	2
Dropsy in the Brain.....	417	Jaundice	81	Teething	502	Strangled	1
Dropsy in the Chest.....	143	Measles	695	Thrush	118	Suffocated	2
Dysentery	2	Miscarriage	3	Worms	8	Suicides	35
Epilepsy	1	Mortification	399	Broken Limbs	1	Total	266
Eruptive Diseases.....	4	Old Age, and Debility.....	1850	Burnt	27		
Erysipelas, or St. Anthony's Fire	8	Palsy	203	Drowned	97		

Christened Males 12,574—Females 11,726—In all 24,300 || Buried Males 9,671—Females 9,557—In all 19,228.

Whereof have died,

Under two years of age	4779	Twenty and thirty	1577	Sixty and seventy	1600	A hundred	
Between two and five	1771	Thirty and forty	1990	Seventy and eighty	1930	A hundred and one ..	
Five and ten	896	Forty and fifty	9095	Eighty and ninety	666	A hundred and two ..	
Ten and twenty	631	Fifty and sixty	1918	Ninety and a hundred	144	A hundred and three ..	1

Decreased in the Burials this Year, 477.

* There have been Executed in London and the county of Surrey, 28; of which Number 10 only have been reported to be buried within the Bills of Mortality.

PRICE OF STOCKS FOR EACH MONTH IN 1819.—*Lowest and Highest.*

1819.	Bank Stock.	3 p. ct. red.	3 p. ct. cons.	4 p. ct. cons.	5 p. ct. Navy.	Long Ann.	India Stock.	India Bonds.	Exchequer Bills 2d.	Irish.	Omnium.
January	{ 267½ 272 }	77½ 79½	77½ 79	95½ 98½	105½ 107½	20 20½	231½ 232½	85½ pr. 86½ pr.	16 pr. 20 pr.	106½ 108	¾ 2½
February	{ 266 272½ }	75½ 78½	74½ 78½	94½ 97½	105½ 106½	20 20½	228 233½	62 pr. 82 pr.	4-11 pr. 18.9 pr.		½ dis. 1¼ pr.
March	{ 261 272 }	73 75	72½ 74½	91½ 93½	1037 105½	19½ 19½	220 221	15-10 pr. 40.39 pr.	19.12 dis. par.		
April.....	{ 251 254 }	70½ 74½	71½ 75½	89½ 93	103½ 105½	18½ 20½	220 221	26 pr. 40 pr.	3 dis. 10 pr.		
May	{ 210 251½ }	61½ 71½	65 75½	78 90½	99 105½	17 18½	205 219½	14 dis. 29 pr.	6 dis. 11 pr.		
June.....	{ 215 228 }	65½ 70	65½ 66½	82½ 88½	99½ 100½	17 18½	210 210.09	7 dis. 1 pr.	2 dis. 7 pr.		0½ dis. 2½ pr.
July	{ 216½ 234 }	67½ 73	67½ 72½	78½ 90½	100½ 105½	17½ 19½	203½ 217	4 dis. 11 pr.	4 dis. 4 pr.	102½ 106½	½ dis. 5½ pr.
August	{ 228 233 }	70½ 72½	70 72½	90½ 91½	104½ 105	19 19½	218 222	9 pr. 20 pr.	7 dis. 3 pr.		3½ pr. 5 pr.
September.....	{ 229½ 230½ }	71½ 72	68½ 71½	90½ 91	102½ 104½	19½ 19½		5 pr. 16 pr.	12 dis. par.	105½	½ pr. 4 pr.
October... ..	{ 216½ 220 }	66½ 70½	67½ 70½	83½ 87½	102½ 104½	17½ 18½	209½ 212	7 pr. 16 pr.	7 dis. par.		¾ dis. 13½ pr.
November	{ 213 216½ }	66½ 67½	67 68½	83½ 84½	102½ 104½	17½ 17½	207 209	4 pr. 8 pr.	5 dis. par.		2½ dis. 1¼ dis.
December	{ 211 211 }	65½ 65½	66½ 66½	83½ 83½	103½ 103½	17½ 17½	208½ 208½	5½ dis. 5½ dis.	14½ dis. 14½ dis.		2½ dis.

APPENDIX TO CHRONICLE. 307

Table of the Number of Bankruptcies in England, from December 20, 1818, to December 20, 1819, inclusive.

Jan.	Feb.	March.	April.	May.	June.
86	134	124	132	178	167
July.	Aug.	Sept.	Oct.	Nov.	Dec.
144	78	91	17	165	129

Total 1499.—Increased from the last year, 531

Average prices of CORN per Quarter, in England and Wales, 1819.

Wheat.	Rye.	Barley.	Oats.	Beans.
s. d.	s. d.	s. d.	s. d.	s. d.
Jan. 79 6	59 0	68 11	35 9	70 9
Feb. 80 5	59 2	63 9	34 4	68 11
Mar. 79 3	56 11	59 4	33 7	66 0
April. 74 7	52 11	51 6	31 0	57 4
May. 72 8	50 6	44 7	29 5	53 5
June. 68 9	46 6	40 0	27 6	50 10
July. 75	48 2	41 0	27 10	50 4
Aug. 75 2	45 4	40 2	28 6	50 3
Sept. 71 11	44 5	39 2	27 1	48 5
Oct. 66 8	43 6	38 3	25 4	47 5
Nov. 68 2	43 0	39 2	25 11	49 4
Dec. 65 10	42 6	37 1	25 2	48 2

Average of the Year.

73 2 | 49 4 | 46 6 | 29 3 $\frac{1}{2}$ | 55 1

Quantity of PORTER brewed by the eleven first Porter Breweries in London, for the Year ending July 5, 1819.

Barclay, Perkins and Co.....	320,090
Truman, Hanbury, Buxton and Co.....	210,967
Andrew, Reid, and Co.....	183,675
Whitbread and Co.....	181,844
Combe, Delafield and Co.....	133,008
Henry Meux and Co.....	111,138
Calvert and Co.....	99,286
Goodwyn and Co.....	63,377
Elliott and Co.....	53,111
Taylor	53,104
Cocks and Campbell.....	26,035

X 2

METEOR.

MONTH.	BARC
	MAX.
January	30.06
February	30.12
March	30.34
April	30.02
May	30.17
June	30.19
July	30.21
August	30.32
September	30.05
October	30.03
November	30.16
December	30.23

PARLIAMENTARY REPORTS.

OF THE COMMISSIONERS
 FOR INQUIRING
 INTO THE MODE OF PREVENTING
 THE FORGERY OF BANK

*by His Royal Highness George
 Prince of Wales, Regent of the
 Kingdom of Great Britain
 and Ireland.*

in obedience to the directions
 in his majesty's com-
 mand we proceeded, in the
 month of the month of July
 to consider the important
 matter referred to us.

Attention was first directed
 to the proposals for improvement
 in the mode of the notes issued
 in the Bank of England; and it
 was found that many plans had
 been submitted to that body
 which they had not thought it
 proper to adopt, we felt it
 necessary, in the first instance, to
 collect information upon
 the subject; and we therefore re-
 called the court of directors to
 order with an account of
 the same. They did accordingly
 without delay, with a
 list of 108 projects,
 classified and arranged;
 with the correspondence
 relating to them, a statement of
 the manner in which they had been

subjected, and specimens of the
 proposed originals and of the imi-
 tations executed by order of the
 Bank. They also laid before us
 about seventy varieties of paper
 made at their manufactory in ex-
 periments for its improvement, in
 which almost every alteration re-
 commended for adoption had been
 tried, and, in some instances, an-
 ticipated by their own manufac-
 turer.

We have also received and
 answered communications from
 about seventy individuals, which
 have been arranged and consid-
 ered; and in some cases, a per-
 sonal interview has been request-
 ed, and held. Several of these
 persons had been previously in
 communication with the Bank;
 and we find that in the instance
 of some projects of superior pro-
 mise, the directors had furnished
 to the proposers the pecuniary
 means of carrying their ideas into
 effect. We have likewise sought
 and obtained information as to
 the state of the paper currency
 in other countries; but this has
 proved of very little importance,
 with reference to the object of
 our present inquiry. From Ame-
 rica, which affords the closest pa-
 rallel to the state of England in
 this particular, no official return
 has

has yet been received, but we have reason to think that in several parts of the United States, the crime of forgery is prevalent, and that great efforts are now making to give to the notes such a character as may baffle the skill of the American forger. Specimens of these improved notes have been communicated to us by the agent of the American patentee, and have received our particular attention with regard to the practicability of adopting the invention, in whole or in part, so as to present a barrier to the art and skill of the forger in this country.

Upon the general subject of the extent of forgery, we do not think it necessary to recapitulate statements which are already before parliament and the public. It appeared to us however proper to obtain more particular information as to the course which has been hitherto pursued by the Bank, both with respect to the prevention and with respect to the detection and punishment of the crime. Upon the former of these points, we have received from the directors, in addition to the account before alluded to, clear and circumstantial details. And it is but common justice to those gentlemen to state, that in every instance our inquiries have been met by them in the most prompt and satisfactory manner, and every sort of useful information readily furnished. We feel it also proper to add our opinion, formed after an examination of all the projects which have been formerly submitted to the Bank for a change in the form of their notes, that no one of these

could have been adopted with such a prospect of solid advantage to the public, as would compensate the evils necessarily attendant upon a change.

The invention to which we refer in the latter part of this report, and on which our attention is now principally engaged, was laid before the directors a short time previous to the issuing of his majesty's commission, and so far entertained by them, that they advanced a large sum of money to the author. The chief merit of this invention consisting in the extreme accuracy of the machinery requisite; time and application are necessary to bring it to such a state of perfection as appears likely to answer the purpose desired.

Upon the latter of the two points above referred to, we have received from the chief inspector and chief investigator at the Bank, and also from the solicitor, accounts of the course pursued in their respective departments. For which purpose, we requested the personal attendance of each of those officers, and entered into such an examination of them, as appeared to us to be calculated to produce the necessary information. We have also been furnished by the Bank with the means of judging of the actual state of forgery, and of that degree of skill which appears sufficient to deceive the public, by the examination of forged notes of various kinds; and even of the tools and instruments used by one forger, which were taken upon him.

Whilst it is painful to observe the degree of talent thus perverted, it is at the same time to be

PARLIAMENTARY REPORTS. 311

marked, that in many instances the public suffer themselves to be deceived by very able imitations; and it is to be feared that a similar carelessness would very much lessen the effects to be derived from employment of superior skill and workmanship in the formation of a new note. Another fact appears proper to be noticed here, forming an important ingredient in the consideration of any proposed plan. The issue of small notes by the bank is necessarily uncertain and irregular in amount. We find, that to supply the usual supply, not less than fifty plates are requisite; and it is considered proper to issue a much larger number in a view of preparation. And as it is obviously necessary to preserve, so far as possible, identity in the notes, this circumstance precludes the application of the purpose of many ingenious plans, even if there did not exist other insuperable objections to them.

Resulting from the above statements and examinations, some of our observations have occurred to us, which appear proper to be introduced in this stage of the report.

It has been very commonly observed, that, in consequence of the simplicity of execution in the present bank notes, the actual issue of them was very general and extensively practised, and that often by persons without skill or talent; and this idea formed the basis of much of the reasoning used by many of the objectors, whose plans have been under our view. The re-

verse of this we believe to be the fact; and from the information before us, we feel ourselves warranted in stating our opinion, that the great quantity of forged small notes which have lately been found in circulation, have all issued from a very few plates only; and that the fabrication of them is chiefly confined to one particular part of the country, and carried on by men of skill and experience, and possessed of a very considerable command of capital. Upon a cursory observation, it appeared remarkable that whilst so many utterers are constantly brought to justice, the actual forger should very rarely indeed be detected. But further investigation has led us to think, that this fact may be accounted for; and without entering into details, which upon this point it is better to avoid, we think that it results naturally from the lamentable perfection of system to which this fraudulent traffic has been brought; and we have seen no reason to doubt that the directors of the Bank and their officers have used every exertion in their power to bring the actual forgers to justice, though unfortunately without success, except in very few instances. We cannot refrain however from adding to this statement, our opinion, that there must be some culpable remissness in the local police of those districts within which the actual fabricators of bank notes are more than suspected to reside, and to carry on their trade with impunity. And before we quit this part of the subject, we wish to suggest for the consideration of those, by whose judgment such a ques-

a question may be properly decided, whether it might not be expedient to offer a very large reward for the apprehension and conviction of a person actually engaged in forging bank notes. We are aware of the objections which exist against the system of pecuniary rewards, and are fully impressed with a sense of the evils that may arise from a too general adoption of it. But the circumstances under which the crime of forgery exists in this country are peculiar; and it appears to us hardly possible that those evils which might be anticipated from the offer of a reward in the case of some other crimes, could follow from such an offer in this case; and knowing how many individuals must be saved from punishment by the conviction of one actual forger, we venture to recommend the adoption of this measure, to be concurrent with such an improvement in the form of the note as we hope to see effected.

Having been furnished with such information as was within our reach relative to the subject of our inquiry, we in the next place proceeded to examine more in detail the several projects submitted to us. In pursuing this examination, we have not indulged the vain expectation of finding any plan for a Bank-note which shall not be imitable by the skill of English artists, and we have considered that it would be utterly unsafe to rely for security against forgery, upon the employment of any process the chief merit of which was to consist in its being kept secret; of which several have been communicated

to us. Our object has been to select some plan, of which the process, when the principles it are understood and the machinery and implements provided, should be simple enough to be applied without interruption to the extended operations of the Bank; and should at the same time comprise so much of the superior art, as may oppose the greatest possible difficulties to the attempts of the forger, and present such points of accuracy and excellence in workmanship to the eye of any individual of ordinary caution, as shall enable him to detect a fraud by observing the absence of those peculiarities of a fabricated note. In the examination of the schemes before us, we are, of course, very variously struck by the different degrees of merit; and we have endeavoured to class them as to the circumstances which would render them more or less difficult. From a very large portion of them it was obvious, upon the first inspection, that no better result could be expected than the whole number, we find twelve of superior skill and industry, but anticipated by others of higher merit; or merely ingenious, but inapplicable in practice. And we consider nine to be either of such original and ingenious combination of means as to have required more particular attention with respect to these, much consideration has been had, and in some instances, improved and experiments suggested and tried.

We have not considered any one as decisive against the merit of any particular plan, the single circumstance that it may be imitated by

PARLIAMENTARY REPORTS. 315

and expensive means. We have found, in the specimens submitted to us, many of great excellence, the result of a combination of talent or machinery, by good imitation has been effected in a short time, by peculiar expense, and application of means which are within the reach of any artists and engravers in England; and when we know how very few hands are now forgers, the present plan appears confined, we think that in the event of being formed from the specimens, an equal number of persons would indeed be found capable of producing those notes to a large extent, and with a skill quite sufficient to deceive the public. Another consideration has also had weight in us to hesitate much before we venture to recommend the plan. The adoption of the form of note presented to us, and characteristic of the imitation of which we do not confidently feel to be difficult, would not be good, but would produce evil; and would increase the security, by encouraging the public to rely upon the presence of such marks and character, rather than upon the tedious and general observation of the whole note. The marks, however, as they do not apply to all the specimens which have been offered. There are a few of superior merit, and means which it is very

improbable should ever come within the reach of any single forger, and the imitation of which, except by those means, appears in a high degree difficult.

Safety, or rather comparative safety, is to be sought, to a certain extent, in a combination of excellence in various particulars; but chiefly, as we conceive, in the application of a principle beyond the reach of the art of the copper-plate engraver, which in its different processes is possessed of the most formidable power of imitation. One plan, before alluded to as apparently affording this advantage, has been, with the most liberal assistance from the Bank, for some time past in a course of trial for its greater perfection, and with a view to combination with other improvements, satisfactory experiments of which have already been effected. The result, if our expectations be not disappointed, will afford a specimen of great ingenuity in the fabric of the paper, of great excellence in the workmanship, and of a very peculiar invention and difficult machinery in the art of printing. We confidently hope, that no long time will elapse before we are enabled to lay before your royal highness that result; and we have every reason to know, that the Bank directors are seriously anxious to adopt any plan which shall be found, after patient examination, to be worthy of adoption. In the mean time, we have thought it right not to delay informing your royal highness of the course of our proceedings. The investigation in which we have been engaged, has strengthened rather than

than removed our feeling of the difficulties with which the whole subject is surrounded. We do not wish to represent those difficulties as precluding the propriety of an attempt to remove the existing evils, by a change in the form of the notes issued by the Bank of England; but we do feel them to be such as make it imperative upon those with whom the responsibility rests, to be fully satisfied that they shall produce an improvement before they venture to effect a change.

All which is humbly submitted to your royal highness's consideration and judgment.

JOS. BANKS.

WILLIAM CONGREVE.

WILLIAM COURTENAY.

DAVIES GILBERT.

JER. HARMAN.

W. H. WOLLASTON.

CHARLES HATCHETT.

Soho-square, Jan. 15, 1819.

COLONISTS TO THE CAPE OF
GOOD HOPE.

Official Circular.

Downing-street, London, 1819.

I have to acquaint you in reply to your letter of the ———, that the following are the conditions under which it is proposed to give encouragement to emigration to the Cape of Good Hope.

The sufferings to which many individuals have been exposed, who have emigrated to his Majesty's foreign possessions unconnected and unprovided with any capital, or even the means of support, having been very afflictive to themselves and equally

burthensome to the colonies which they have procured, the government have determined to confine the application of the money recently voted by the House of Commons to those persons who, possessing means, will engage to cultivate, at the least, ten able-bodied individuals above 18 years of age, with or without families, and the government always reserving to itself the right of selecting from the several offers made those which may prove most beneficial on examination, to be most

In order to give some satisfaction to the government, that persons undertaking to manage the establishments have the doing so, every person desirous to take out the above-mentioned number of persons or vessels shall deposit at the rate of 5*l.* (to be repaid as hereinafter mentioned) for every family sent out, provided that the establishment does not consist of more than one man, one woman, and three children under 14 years of age, and five children above the number of 14. The deposit above-mentioned shall be repaid in the proportion of 5*l.* for every two children under 14 years of age, and 5*l.* for every person between the ages of 14 and 21.

In consideration of this, a passage shall be provided for the expense of government for settlers, who shall also be exempted from the time of embarkation until the time of their landing in the colonies.

A grant of land, under the conditions hereafter specified, shall be made to him at the rate of 100 acres for every

PARLIAMENTARY REPORTS. 315

y whom he so takes
ird of the sum ad-
government on the
be repaid on landing,
ctually at the ex-
ernment shall cease.
oportion of one-third
id, as soon as it shall
o the governor of the
he settlers under the
the person taking
re actually located
id assigned to them ;
under at the expira-
e months from the
location.

ishes in which there
undancy of popula-
ite in selecting an
dividual to proceed
with settlers under
not less in number
description above-
and shall advance
e proportion above-
he government will
such an individual
100 acres for every
family, leaving the
erty to make such
th the individual, or
s may be calculated
he parish becoming
ible with the main-
uch settlers, in the
eir return to this

ers of this kind will
unless it shall be
persons proposing
tlers shall have dis-
their consent, and
ach family is not in-
ble of work.

r proposed, that in
which one hundred
eed together, and
e to carry out with

them a minister of their own per-
suasion, government will, upon
their being actually located, as-
sign a salary to the minister whom
they may have selected to ac-
company them, if he shall be ap-
proved by the secretary of state.

The lands will be granted at a
quit rent to be fixed, which rent,
however, will be remitted for the
first 10 years ; and at the expira-
tion of three years (during which
the party and a number of fami-
lies, in the proportion of one for
every hundred acres, must have
resided on the estate) the land
shall be measured at the expense
of government, and the holder
shall obtain, without fee, his title
thereto, on a perpetual quit rent,
not exceeding in any case 2*l*.
sterling for every 100 acres ; sub-
ject, however, to this clause be-
yond the usual reservations*—
that the land shall become for-
feited to government, in case the
party shall abandon the estate, or
not bring it into cultivation within
a given number of years. I am,
your most obedient humble ser-
vant.

*First Report of the Commissioners
appointed to consider the sub-
jects of Weights and Measures.*

May it please your Royal High-
ness,

We, the Commissioners ap-
pointed by your Royal Highness

* The usual reservations are
the right of the crown to mines
of precious stones, of gold and
silver, and to make such roads as
may be necessary for the conve-
nience of the colony.

for

for the purpose of considering how far it may be practicable and advisable to establish within his Majesty's dominions a more uniform system of weights and measures, having obtained such information as we have been able to collect, beg leave to submit with all humility the first results of our deliberations.

1. We have procured, for the better consideration of the subject referred to us, an abstract of all the statutes relating to weights and measures which have been passed in the United Kingdoms from the earliest times; and we have obtained from the country reports, lately published by the Board of Agriculture, and from various other sources, a large mass of information respecting the present state of the customary measures employed in different parts of the United Kingdom. We have also examined the standard measures of capacity kept in the Exchequer, and we have inquired into the state of the standards of length of the highest authority. Upon a deliberate consideration of the whole of the system at present existing, we are impressed with a sense of the great difficulty of effecting any radical changes, to so considerable an extent as might in some respects be desirable; and we therefore wish to proceed with great caution in the suggestions which we shall venture to propose.

2. With respect to the actual magnitude of the standards of length, it does not appear to us that there can be any sufficient reason for altering those which are at present generally employed.

There is no practical ad-
in having a quantity com-
able to any original quan-
isting, or which may be in-
to exist, in nature, excep-
fording some little en-
ment to its common adop-
neighbouring nations. It
scarcely possible that
parture from a standar-
universally established in
country, should not produ-
more labour and incom-
in its internal relations.
could ever be expected to
the operations of foreign
merce and correspondence
always are, and always
conducted by persons, to
the difficulty of calcul-
comparatively inconsider-
who are also remunerated
their trouble, either by the
of their commercial con-
by the credit of their ac-
quirements.

3. The subdivisions of
and measures at present ex-
in this country, appear to
more convenient for
purposes than the decimal
which might perhaps be
by some persons for mak-
culations with quantities
determined. But the pro-
expressing a third, a fourth,
a sixth of a foot in inches
out a fraction, is a pecu-
vantage in the duodecim-
and for the operations of
ing and of measuring of
the continual division of
ders it practicable to re-
any given quantity with
smallest possible number
ard weights or measures
far preferable in this re-
any decimal scale. W

PARLIAMENTARY REPORTS. 317

fore recommend, that all the principles and subdivisions of the standard to be adopted should in the same relative proportions to each other as are at present in general use.

The most authentic standards of length which are now in existence being found, upon a late examination, to vary in a slight degree from each other, although either of them might be preferred without any preference that would become sensible in common cases, we beg to recommend, for the legal determination of the standard length, that which was employed by General Roy in the measurement of a base on Hounslow Heath, as a foundation for the trigonometrical operations that have been carried on by the ordnance throughout the country, and a duplicate of which will probably be laid down, on a standard scale, by the committee of the Royal Society appointed for assisting the astronomer royal in the determination of the length of the standard; the temperature being supposed to be 62 degrees of Fahrenheit, when the scale is employed.

We propose also, upon the authority of the experiments made by the committee of the Royal Society, that it should be declared, for the purpose of identifying or recovering the length of this standard, in case that it should ever be lost or impaired, that the length of a pendulum vibrating seconds of mean solar time in London, on the level of the sea, and in a vacuum, is 39.1372 inches of this scale; and that the length of the metre em-

ployed in France, as the ten-millionth part of the quadrantal arc of the meridian, has been found equal to 39.3694 inches.

6. The definitions of measures of capacity are obviously capable of being immediately deduced from their relations to measures of length; but since the readiest practical method of ascertaining the magnitude of any measure of capacity is to weigh the quantity of water which it is capable of containing, it would, in our opinion, be advisable in this instance to invert the more natural order of proceeding, and to define the measures of capacity rather from the weight of the water they are capable of containing, than from their solid contents in space. It will therefore be convenient to begin with the definition of the standard of weight, by declaring, that 19 cubic inches of distilled water, at the temperature of 50 degrees, must weigh exactly 10 ounces of troy, or 4,800 grains; and that 7,000 such grains make a pound avoirdupois; supposing, however, the cubic inches to relate to the measure of a portion of brass, adjusted by a standard scale of brass. This definition is deduced from some very accurate experiments of the late sir George Shuckburgh on the weights and measures of Great Britain; but we propose at a future period to repeat such of them as appear to be the most important.

7. The definitions thus established are not calculated to introduce any variation from the existing standards of length and of weight, which may be considered as already sufficiently well ascertained. But, with respect to

to the measures of capacity, it appears, that the legal standards of the highest authority are considerably at variance with each other: the standard gallon, quart and pint of queen Elizabeth, which are kept in the Exchequer, having been also apparently employed, almost indiscriminately, for adjusting the measures both of corn and beer; between which, however, a difference has gradually, and as it may be supposed unintentionally, crept into the practice of the Excise; the ale gallon being understood to contain about $4\frac{1}{2}$ per cent more than the corn gallon, though we do not find any particular act of parliament in which this excess is expressly recognized. We think it right to propose, that these measures should again be reduced to their original equality; and at the same time, on account of the great convenience which would be derived from the facility of determining a gallon and its parts by the operation of weighing a certain quantity of water, amounting to an entire number of pounds and ounces without fractions, we venture strongly to recommend, that the standard ale and corn gallon should contain exactly 10 pounds avoirdupois of distilled water, at 62° of Fahrenheit, being nearly equal to 277.2 cubic inches, and agreeing with the standard pint in the Exchequer, which is found to contain exactly 20 ounces of water.

8. We presume that very little inconvenience would be felt by the public from the introduction of this gallon, in the place of the customary ale gallon of 282 cubic

inches, and of the Winchester corn gallon, directed by a statute of king William to contain and by some later statute estimated at $272\frac{1}{4}$ cubic inches, especially when it is considered that the standards by which quart and pint beer measures used in London are habitually adjusted, do not at present differ in a sensible degree from the standard proposed to be general. We apprehend that the slight excess of about a bushel above the common measure, would be of little importance, as the customs measures employed in different parts of Great Britain are almost universally larger than the Winchester bushel.

9. Upon the question of the propriety of abolishing altogether the use of the wine gallon, and establishing the new gallon as the only standard for all purposes, we have not been able to obtain a decisive determination; we suggest, that there would be a manifest advantage in the unification of all measures under the same name, provided a change could be made without practical inconvenience: the inconvenience is far the inconvenience is more felt than the advantage we must leave to the wisdom of his majesty's government to decide.

10. In the mean time, it may be advisable to take into consideration the present state of numerous and complicated laws which have been enacted at various times for the regula-

PARLIAMENTARY REPORTS. 319

ts and measures em-
commerce; and the ab-
hese laws, which we
ured, will be found in
lix (B) of this Report.
however, reserve for a
asion the information
ave procured respect-
stomary weights and
f the different counties,
not yet been able to
abstract into the most
form for affording a
view of this branch of
referred to us.

JOS. BANKS.
GEORGE CLERK.
DAVIES GILBERT.
WM. H. WOLLASTON.
THOMAS YOUNG.
HENRY KATER.
e, June 24, 1819.

FROM THE REPORT COMMITTEE ON THE LWS.

her consideration of
for the Relief of the
of the practical appli-
them, has tended to
the opinion of your
the correctness of
of the subject which
by the committee in
17, and the soundness
iples which were then
their Report; to that
therefore, your com-
ld rather refer, than
ailed statement of the
must be necessarily
any system which un-
provide for the indi-
compulsory contribu-
he funds accumulated
stry of others, and of

the aggravation of that evil by a
lax or mistaken execution of the
law. The consideration that up-
wards of two centuries had elapsed
since the system was established,
that it had operated in the mean
time, and latterly with augmented
force, upon the habits, the pur-
suits, the feelings, and the social
economy, of a large class of the
community, induced that com-
mittee to attempt to correct, in
the first instance, the administra-
tion of the law; and to consider
such means as might, by their
gradual operation, effect a transi-
tion to a better order of things,
and revive those habits of indus-
try and frugality which a reliance
upon an indiscriminate parish
support must necessarily impair.
They consequently recommended
to the House, and the legislature
has since enacted, various provi-
sions for the better administra-
tion of this system. Regulations
have been prescribed for the con-
duct of parish vestries, with a
view of securing a more efficient
control over that expenditure
which is become so large in its
amount as to require the vigilant
attention of those most interested
in the welfare of the parish; a
weight, therefore, has been given
to the persons rated, propor-
tioned in some degree to the mag-
nitude of their respective contri-
butions.

In populous places, however,
the numbers of which that body
is composed, being too great for
the convenient discharge of com-
plicated and detailed business,
power has been given to the ves-
try at large of choosing a select
body, on whom new authority is
conferred, and under whose di-
rection

rection the officers of the parish are to act in the management and relief of the poor. Their proceedings and orders are moreover not subject to the control of a single magistrate. It has been also specially enjoined, that both the select vestry and magistrates, in determining the nature and quantity of relief required in particular cases, shall take into their consideration the character and conduct of the applicant, in order that the same measure of relief may not be extended to the wants arising from unavoidable misfortune on the one hand, and from idleness and extravagance on the other; it being important that the express words of the law should leave the duty of such discrimination no longer doubtful.

It has been also provided, for the better execution of the office of overseer in particular cases, that the vestry may appoint an assistant or assistants, with an adequate salary. This provision arose from the inconvenience resulting from the office of overseer being annual, and the injustice of extending beyond that period a burthen that often requires the unrequited sacrifice of his whole time and private interests. But a person so selected, and remunerated for this task, may be required to devote his whole time to the service of the parish, and may be expected to become, from a continuance in office, accurately acquainted with the duties he has to discharge. A more correct adherence to the law, and a uniformity in the system of management, may therefore be anticipated from such an appointment, which, under annual of-

ficers, without a select may well be wanting.

To these provisions have been added others to guard against evasion in the payment of rates, and against the frauds of those who seek to derive aid from the parish while they are in receipt of other means of subsistence. It having been found essential to make such provision against bestowing on any person the property of others, that reason which alone could justify such an act; the plea of absolute necessity. The advantage of relief, by way of loan only is reason to hope will be rendered beneficial, by affording aid in some instances, and encouraging in others the exertions of those whose earnings have been improvidently and expensively wasted.

The partial alteration of the law of settlement, as far as respects the renting of tenements, which has also been effected, undoubtedly have placed a part of the law on a more equitable and simple footing, while it diminishes the litigation respecting the tenure, and value of the tenements, and no longer be an obstacle to the accommodation which is afforded in some instances to a poor family, by renting the tithing of a cow, or some temporary profit from the cultivation of land.

Other enactments of importance will be found in the course of this session, which it is unnecessary here to detail: but in addition to these, there are many expedients which your committee are enabled to recommend.

PARLIAMENTARY REPORTS. 321

er do not absolutely do not perhaps admit, legislative injunction; establishing a prescribed keeping parochial and giving to them publicity; by which the expenditure will be its proper head, and or unnecessary dis- will be brought to corrected. Printing buting still more fre- sts, which the vestry nd by law to make out, ies of all those who at receive relief, and on int, is a practice which ed lately in many po- rishes, and with the

provisions, and more by the establishment vestries and assistant your committee are their hopes, that the esulting from the re- arish support, may be gree palliated, and that and careless adminis- the law, by which it ggravated, will be es- rrected.

is not all that your deem requisite to se- ingdom from the cala- must attend the conti- ress of this evil; and ot believe that such n be obtained, as long rroneous construction, ommittee believe, of Elizabeth, parishes are ible to be called upon he impracticable pur- ding employment for ay at any time require elieve the ill conse- LI.

quences which have arisen from this practice are most palpable, and most mischievous, and they are therefore peculiarly anxious to recall the most serious attention of the House to this construction which has been put practically on this part of the statute.

Pecuniary relief seems indis- putably to have been only con- templated by this Act for "the lame, impotent, old, blind, and such other among them being poor and not able to work, and also for putting out children to be apprentices;" but the direc- tion to "set to work all persons having no means to maintain them, and using no ordinary or daily trade of life to get their living by," has been acted upon as if it were a clear authority for requiring the parish to find em- ployment for all who want it. The committee, in 1817, ques- tioned the soundness of this con- struction in the following terms: "If the object of the statute was merely to set to hard labour such idle, wandering persons as might be found in a state nearly ap- proaching to that of vagrancy, such an object might possibly be carried into effect with a fair hope of beneficial consequences; but if the object of the statute was (as it is now interpreted) that the state is to find work for all who in the present and in all succeeding time may require it, your committee are of opinion, that this is a condition which it is not in the power of any law to fulfil; what number of persons can be employed in labour, must depend absolutely upon the amount of the funds, which alone are

Y

are applicable to the maintenance of labour."

The farther consideration and investigation of this subject has confirmed their opinions; for your committee are not aware, that the courts of law have at any time construed the act according to this practice; indeed the decision referred to in the former Report, in which it was held that an order of maintenance is not valid without it adjudges the party seeking relief to be *impotent*, leads to an opposite conclusion. If reference be had also to the authority of early writers, or to those who in modern times have bestowed the most attention on this subject, the same inference would follow. In a work which has been lately cited by an able anonymous author, intituled "A Description of England, by W. Harrison," and which, as published in the *Chronicles of Holingshed*, is brought down to the year 1586; it is stated that "the poor are divided into three sorts, so that some are poor by impotency, as the fatherless child, the aged, blind or lame, and the diseased person that is judged to be incurable; the second are poor by casualty, as the wounded soldier, the decayed householder, and the sick person visited with grievous and painful diseases; the third consisteth of thriftless poor, as the rioter that hath consumed all, the vagabond that will abide no where, but runneth up and down from place to place (as it were seeking work, and finding none); and finally, the rogue, &c."

"The two first sorts, that is to say, the poor by impotency,

and the poor by casualty, the true poor indeed, and whom the word doth bind to make some daily provision; in order taken throughout the parish in the realm that work collection shall be made for help and sustentation; but they refuse to be supported by this benefit of the law, and rather endeavour, by going and fro, to maintain their trades, then they are parcel of the third sort, and so instead of a courteous refreshing at home are often corrected with execution, and whip of jailing abroad."

Now this classification of the poor in the very age of Elizabeth leads to the conclusion, that persons designed by the law "using no ordinary or daily labour of life to get their living" were, as the committee of 1791 supposed, that third class are deemed "thriftless poor" who it should seem were maintained by labour as long as they continued within their own parish, but if they left it, were subject to severe penalties then inflicted on vagrancy; and would now be within the provisions of the present vagrant laws.

But to come nearer to our times, and to the most laborious and valuable work on this subject, we find the opinion of the judicious and unprejudiced author of "*The State of the Poor*," expressed in the following decided terms:

"From the language of various statutes concerning the poor which passed during the reign of queen Elizabeth, and which *in pari materia*, explain

PARLIAMENTARY REPORTS. 323

ner, either in matter of law, or to illustrate each other in matter of fact, it may fairly be implied to follow, that the relief of the able-bodied poor, with or without families, was no part of the original system of the poor laws. The third of William and Mary,

s. 11, corroborates this, which is *put out of doubt* by the preamble to 8 and 9 William and Mary, c. 30, s. 2: "To the effect that the money raised only for the relief of such as are as idle, impotent as poor, may not be misapplied or consumed by idle, sturdy and disorderly persons."

These opinions would, in the absence of any decision of courts of law to the contrary, be entitled to much weight; but this preamble referred to by the last author, and which was cited in the former Report for the same purpose, seems decisive on the question. Nor indeed can it be well imagined, that the supreme legislative power of any country could have anticipated a permanent order of things, in which a large class of the people should be habitually and necessarily without employment. Your committee conceive that the demand and supply of labour have, in the natural course of things, such a tendency to regulate and balance each other, unless counteracted by artificial institutions, that any excess of either, arising from temporary causes, would, if not corrected by temporary expedients, in no long time correct itself; whereas the practice now under consideration, originating perhaps in a humane extension of

the law to meet cases of occasional and pressing emergency, and inconsiderately continued, is calculated to perpetuate evils that would otherwise be transient, and permanently to derange the whole industry of the country.

That such has been its effect in those parts of this kingdom, where the practice has most prevailed, is but too manifest. Your committee say, where the practice has most prevailed, because they have learned that some magistrates have resisted this, which they have deemed, with your committee, a misconstruction of the law. We may see and lament, that a compulsory provision, for even the helplessness of age and infirmity, has a tendency to weaken, in a degree, the natural efforts of men to provide against future ill; but if by any human institution the *present* wants of life are to be obtained otherwise than by human exertion, the very sources of all industry must be destroyed. If therefore the parish be bound to find employment for those who are, from whatever cause, without it, it is obvious that in cases where the family is numerous, and the honest pride and independence of self-support is extinguished; it becomes on calculation a matter of perfect indifference, whether the money requisite for their maintenance be derived from the wages of labour, or the alms of the parish. The consequence is, that the motive that would naturally impel men to active and faithful service is wanting; for even if employment be forfeited by misconduct,

the same means of support, in the case supposed, will be given, and probably little labour will be exacted in return; for the parish work is in all cases performed without the superintending control of private interest; and it must be remembered, that the persons who make this demand for work on the parish, are, generally speaking (though at the present time it is certainly in many instances otherwise), the least active, the least strenuous, and the least industrious of the community. It is the want of these qualities which has, generally speaking, deprived them of employment. It has consequently appeared to your committee that, under this practice, not only the pressure of the burthen of the poor-rate has become almost overwhelming, but that the amount of regular labour has been greatly diminished, and its quality materially impaired: and that it should be so, under such direct incitements to idleness, can scarcely be matter of surprise, or even of indignation. But a striking proof of the prejudicial consequences of this practice is afforded by the circumstance, which the other parishes have been pressed on the attention of your committee, that it is not directly found that such indolence, or a want of care in acquiring a subsistence, will be checked in such small villages, where the amount of the parish work is small, and the labourers are generally poorer, and only the necessities, but the comforts of life, are not so much wanted, as in the large towns, where the

that the operation of the act of this session has already relieved some parishes of the metropolis from the heavy burthen of maintaining numbers of persons without settlements in England; who are stated "now to support themselves, instead of applying for parochial relief, under the apprehension of being sent home."

If therefore this supposed obligation of parishes to find work for all who require it, is at variance with the letter and spirit of the law, and has been, and is productive of the most harmful effects; it appears to your committee, to be of the last importance, that the practice of the country should be made consonant with the law in this respect, by a new enactment, specifying distinctly to whom, and to what alone, relief derived from a compulsory enactment, shall be extended. At the same time, they are well aware, that it is not at a moment like the present, when from a concurrence of circumstances, the country is unusually embarrassed by the number of persons without employment, that it should be attempted to bring the better system of settlement operation; and it would be probably expedient, provided it were not an impediment which was thrown in the way of the circulation of labour, either by the existing laws respecting the settlement of the poor, or the whole mode of agriculture.

That the matter for which a new part of the English law is now made necessary, does not admit of dispute, nor has your committee believed, that it

PARLIAMENTARY REPORTS. 325

parts the demand is greater than the supply; it is not probable, therefore, that even the end and immediate removal of all impediments, if it were practicable, would of itself, at this moment, cure the existing evil. Measures, assisted by the trained operation of natural laws, will yet be wanting to the kingdom, in this respect, to its ordinary and healthy state. Your committee, therefore, must recur to the opinion expressed in the former report, "all obstacles to seeking employment wherever it can be found, even out of the realm, should be removed, and every facility that is reasonable, afforded to those who may wish to go to some of our own colonies, for it seems not unnatural, that his country should, at such a time, recur to an expedient which has been adopted successfully in other times, and in other countries, especially as it has facilities for this purpose, which no other state has perhaps ever enjoyed to the same extent, by the possession of colonies affording an outlet of unoccupied territory, which the labour of man, assisted by a genial and healthy climate, would produce an early and abundant return. Your committee thought it desirable to make some inquiries on this subject, the result of which will be given in the minutes of evidence. By these and other means, the continuance of the blessings of peace, and a consequent augmentation of capital, the demand for supply of labour should be balanced, and the wages

of labour become a more adequate remuneration of industry, your committee are satisfied, that the object which they recommend might be gradually attained, without material embarrassment or difficulty; provision continuing to be made by law for the infirm and helpless, and the partial and temporary distress which might occasionally befall even the able and industrious, being left, as it confidently might, to the aid of voluntary and discriminating benevolence, to which alone it should be remembered the wants even of age and infirmity in most other countries are referred. The assessment, thus limited in its application, would no longer threaten to absorb all the sources of supply, nor continue to seduce the labouring part of the population, by the delusive promise of parish relief, from their natural habits of industry. The greater part, your committee believe, of the sums of money which are now forced into the poor-rate, and undergo a compulsory, and for the most part unprofitable distribution, would probably be restored to their natural channel, giving thereby an increased activity to labour, under the interested but beneficial superintendence of their owners; from which would necessarily result a rise of wages, with the beneficial consequences that would naturally ensue to the labouring classes; active and faithful service would indeed be found indispensable for the supply of present wants; and recourse would doubtless be had to those facilities and inducements which are now afforded to

to realize the benefits of exertion and frugality.

Reverend *Henry Duncan* called in; and examined.

In what part of Scotland do you reside?—In the parish of Ruthwell and presbytery of Annan, in Dumfries-shire.

In what manner are the indigent poor of your parish supported?—By collections in the church, by private charities, but chiefly by their own relations.

What is the amount annually of the funds under the management of your session, and in what manner are these funds raised?—The annual amount is about 24*l.*; these funds are raised by collections in the church, and by fines, which the session has in its power to impose on irregular marriages, on the parents of illegitimate children, and on proclamations for marriage.

Are there any other funds out of which the poor of your parish are supported?—No; there are no other funds.

What is the population of your parish?—About 1,160.

Have the goodness to detail to the Committee the mode of management by which the sessions of Scotland become acquainted with the wants of the poor, and afford them supply?—I believe the Committee is aware, that the session of a parish consists of the minister and elders, and that the minister is the moderator or president; the elders are chosen from the respectable householders, and the selection is made from particular districts of the parish, as far apart as circumstances will admit; they supply

vacancies by election of their own body. The parish is by a mutual understanding divided into districts, over which each elder exercises a kind of superintendence, and he is perfectly acquainted with the situation of all the inhabitants of his own particular district; he gains this acquaintance not only by his residence among them, but also from the exercise of the duties of his office, which consists in visiting the sick and in praying with them, on which occasion he takes an opportunity of inquiring into their circumstances, and of ascertaining whether they are in pecuniary distress, or otherwise. Every Sunday, if necessary, there is a meeting of the session, which generally takes place immediately after divine service. The affairs of the poor are then talked over, and if there are any who require immediate relief, it is ordered to be given. Relief, however, is only ordered at these meetings, in cases of remarkable distress, the usual time of making distributions being at a quarterly meeting of the session; at that quarterly meeting, the minister and elders look over the poor list, and appoint the different allowances to the indigent. I should mention also, that the heritors (that is to say, the landed proprietors) have it in their power to attend these meetings of session. In point of fact, however, they never do attend excepting when specially summoned on ten days notice; they are never called upon but in cases where it may be necessary to levy some particular contribution for the exigencies of the poor.

PARLIAMENTARY REPORTS. 327

customary to suffer indigent persons connected with the parish to ask alms, and what means are adopted to restrain or regulate the practice?—It is sometimes, but not very frequently, the custom to grant certificates to indigent persons to beg in the parish. Usually, in cases of particular distress, the certificate is granted to extend to the whole parish. By a resolution of the Town Council of Dumfries, passed several years ago, it was recommended to the different ministers to limit their bounds, to grant no certificates, the operation of which should extend beyond their own presbytery; and to require that no person should be permitted to beg in any parish except by the minister of that parish who issued the certificate. Where commendation has been refused, it has been productive of bad consequences.

What is the amount of the relief in the poor roll of your parish, and what are the average expenses made to each person?—The amount of the poor on our roll is from 16 to 18, and the weekly allowances are from half a penny to seven shillings a week.

Are there any other means of support for the poor persons who possess property?—The poor are principally supported by their own relations. It is that feeling in Scotland of independence, that laudable independence among the poor to provide for themselves, and that dislike of anything approaching to reliance upon charity, that the lower classes in those quarters, where poor-rates have not been levied, universally consider

it to be their duty to make every sacrifice in support of their poor relations. There is another mode pretty frequently adopted for the support of the poor. In the particular district to which I belong, it has been customary for persons in indigent circumstances to have what is called a drinking. This is a kind of rustic charity-ball. The person for whose benefit it is intended, employs some friends or some persons for hire, to go through the parish, and invite the parishioners to this drinking. Those who do not wish any of their family to attend, generally give a contribution, either in meal or money. Ale and spirits are distributed at the ball, as well as other refreshments; and a contribution is made by the individuals present, which, after clearing all expenses, generally leaves to the entertainer about 1 or 2*l.* of clear gain. This was the usual mode of relief in the parish of Ruthwell, for persons under particular circumstances of distress, when I came to it. I found, however, that there were irregularities (as might be supposed) consequent upon this mode of giving relief, and I discouraged it; but it was necessary to find some substitute. I therefore proposed, that instead of having this ball, the poor persons, who would have resorted to it, should confine themselves to the raising of a contribution. This has generally been adopted in the parish of Ruthwell; and, I believe, in some other parishes. And now a common mode of obtaining relief for such persons, is to hire two individuals, who go through the parish with a certificate

cate from the minister, stating the circumstances of the case, and who obtain for them a supply in meal or money. This is a substitute for begging; and though it may be attended with disadvantages, is probably better than permitting the individual himself to ask alms, because it has not so great a tendency to bring down the spirit of the lower classes, by degrading them in their own eyes, or in public opinion, and possesses other recommendations which will readily occur.

Have you any reason to believe that pauperism is increasing in Scotland?—Certainly it is in those districts where poor-rates have been established. I had an opportunity of ascertaining this fact by inquiries which I made about 10 years ago, when poor-rates began first to be introduced into my own neighbourhood; I had a good deal of correspondence at that time with persons resident in those parts of Scotland where poor rates had been established; and I obtained information from various districts, all going to prove that the establishment of poor-rates had a tendency to increase pauperism in a very great degree. With reference to this subject, I may also mention the situation of the parish of Carlaverock, which borders on that of Ruthwell, and which is precisely in similar circumstances. In that parish a sum of money was, more than a century ago, left for the poor, by a Dr. Hutton; with this money land was purchased, which now yields about 300*l.* a year. This annual sum goes entirely, I be-

lieve, to the support of the and the consequence is, numbers on the poor roll parish have very greatly ed; there are on that p about 50 individuals. compare this with the sta adjoining parish of B which contains exactly the number of inhabitants; find that pauperism mu been greatly increased by quest in question; the of the poor in the one being threefold that of in the other.

Do you refer the increase of pauperism to any other than that which you have mentioned with respect to the establishment of poor-rates of scarcity and embargo have also had a very direct tendency in that respect mention in which way I these to operate. In scarcity the landed proprietors meet for the purpose of relief to the poor, when occasions they had not customed to meet. This such relief in general, by tary assessment, and the tary assessment teaches to look up to a mode of ing their wants which I not been accustomed point of fact, the consequence has been, that the discontinue parochial relief is away, and has evidently within the last two or three I may mention one poor labourer in a neighbourhood applied to me about two years requesting that I would him of the best method

PARLIAMENTARY REPORTS. 329

editors to assess themselves support of the individual me, that the poor in I been receiving relief tary assessment, but rstood that this was for one year; and as a deputation of the parish who were to house in a day or two ose of inquiring into he subject, that they al the heritors to con- assessment. I told conceived poor-rates injurious tendency, certainly would not in any method that to introduce them. to him had the effect, of preventing the de- rich he mentioned, upon me, for I heard it. Now I am per- t this would not have any time before the res, and it was to me ncholy proof of the g influence even of ssessments. I will : committee another the poor, as I con- beginning to be de- gal assessments. I he discussion which ace on the poor laws. were not aware that ed any right to de- from the heritors, tely. You are aware only of the particular which I belong. The f the subject has made nted with the practice ts of the country with gal assessments. e the means best

adapted in your opinion, for re- straining the establishment of poor-rates in Scotland, and for abolishing them where already established?—I should certainly think that some restraint being placed on the power at present exercised by the sheriff, would be one efficient means of prevent- ing the establishment of poor- rates, where they have not yet been put in operation, and of re- straining the further increase of them where they have been esta- blished. But I would chiefly rely on the encouragement held out for the poor to support them- selves.

We know how much the public are indebted to you on the sub- ject of banks for savings, and we wish to know from your expe- rience in the operation of them, whether it is your opinion that they are likely to be very efficient as the means of improving the condition of the poor?—I cer- tainly conceive that they are. A very general interest has been ex- cited among the lower classes in favour of these establishments; and desire, amounting sometimes to a painful anxiety, now exists among them, of laying up a por- tion of their earnings.

Among the lower orders?— Yes; and the upper classes of the community have greatly contri- buted by their judicious encou- ragement to foster this laudable spirit. These establishments have a manifest tendency to increase habits of industry, economy, and sobriety.

Are there any other means of a similar nature which you con- ceive to be useful, for giving the lower

lower orders facilities in providing for their own support?—I conceive friendly societies, in some respects, even of superior advantage to the lower orders.

Do you conceive that the establishment of parochial schools in Scotland, has had any influence in restraining the introduction of the poor-rates?—I do; the education of the lower orders has given a manly spirit to that class of society. They feel their own powers, are become high minded and independent, and are unwilling to subsist upon charity. Whilst at the same time, sensible of the advantages of subordination, they are loyal, submissive to lawful authority, and averse from faction and turbulence. One undoubted consequence of the Scotch system of education is, to excite and foster a spirit of enterprise, for which the inhabitants of that country are, I believe, universally considered as remarkable. This spirit has induced a number of young persons to emigrate to foreign parts, and by this means to leave the population not so injuriously abundant as it would otherwise have been.

State, if you please, the nature of your parochial school establishment, and the manner in which it is conducted?—These seminaries are not *free* schools, as they have been frequently considered by persons not acquainted with the subject; they constitute an establishment connected with the ecclesiastical institutions of the country; the landed proprietors are bound to give a certain salary to the parochial school-master; this salary does not in any instance

amount to more than 22*l.*, or thereabouts, a year; this at least is the *maximum* appointed by the last act of parliament; this sum is not enough for the support of the schoolmaster, but it is sufficient when added to the school-wages; whilst these school-wages are so low, that the poorer classes of the people are enabled to get their children educated. The allowances of school-wages are appointed by the presbytery. In my parish, where I believe the wages are nearly the average of these rates throughout Scotland, 2*s.* a quarter is charged for teaching reading; 2*s.* 6*d.* for reading and writing; 3*s.* 6*d.* for arithmetic, and 5*s.* for the learned languages, all per quarter.

What part do the clergy of Scotland take in the instruction of the lower orders, independently of their instructions in the pulpit?—They superintend the school-master in the performance of his duty, and visit the school, at least once a year, along with a committee of the presbytery; and they regularly catechize the inhabitants of the parish once a year, examining them in the principles of religion.

Is that duty optional, or is it required?—It is required, and I believe is almost universally performed. The clergy of Scotland are peculiarly efficient, from the circumstance of their constant residence in their own parish, and from the intimate and endearing union which generally subsists between them and their people. Being all on a footing of perfect equality, they have no unattained object of ambition to distract their

their attention from the important labours of their profession. They have seldom any prospect of changing their living; and they find it their interest to establish their character and respectability, by a diligent discharge of their various duties in the place where they are established for life. Independent of religious motives, therefore, they have powerful secular inducements to activity and zeal.

Is there a superabundant population in the district of Scotland in which you reside?—I do not think there is a superabundant population in the particular parish which I belong; nor, indeed, any of the neighbouring districts where poor-rates are not established.

Is it your opinion, from your knowledge of the habits of the lower orders, as well as their feelings, that the establishment and organization of a system by which facilities might be held out to emigration, would be attended with good effects, or the contrary?—I certainly think that the establishment of such a system would have a tendency to prevent the introduction of the poor-rates, as well as to diminish their operation where they are established.

You have said, that the poor are maintained mostly by their relations; have you many families in your district who have none but poor connexions?—Yes, there are many, and yet they contrive to support each other. I may be permitted to mention an instance which might show the Committee better perhaps, than in any other way, the kind of

feeling which prevails among our lower classes. Several years ago, a poor man got into difficulties, his son, who was a weaver, finding that he had no means of immediately raising a sum of money for the relief of his father's family by his trade, enlisted in the militia for the express purpose of obtaining the bounty of 20*l.*, and thus affording the requisite aid. After paying his father's debts, there was still a small reversion, this he placed in the parish bank, and it lay there at interest until he was discharged from the militia, when he drew it out for the purpose of purchasing a loom, with which he now supports himself, and assists in maintaining his father's family; and I may add, that this industrious young man continues to pay into the saving bank, any little savings he may make above what is necessary for the purposes I have mentioned. Many similar instances have occurred to my observation; and I believe I may say, that the example of this young man is only such as would have been followed, in similar circumstances, by a great many individuals of the lower classes in Scotland.

William John Burchell, esq. called in; and examined.

State to the committee in what situation you are?—I am following no profession; I am living at Fulham, where I am employed in arranging the observations I made in Africa.

You have been in South Africa?—I have.

For a considerable time?—Nearly five years.

You

through it in one direction
Cape Town to its north
dary; and on my return
travelled along the eastern
dary, and thence along the
southern coast to Cape

The committee will be
for any information you
them with respect to the
bility of the colony to
profitably, any considerable
ber of labourers emigrate
this country?—In the first
with respect only to the
it should be known, that
great extent of country
occupied, which arises from
manner in which the Dutch
government has made their
of land, allowing each settler
farmer to take up his stock
those places where there are
springs of water; so that
from that, that all those im-
mediate parts of the colony
there are no very good spots
water, are at present uncultivated
and that surface of the colony
may at a rough-guess be estimated
at more than one half of the
face of the colony.

PARLIAMENTARY REPORTS. 333

their robberies in such

not been necessary, in
fact, to keep up a con-
to repel their attacks?
een done hitherto, and
is now done.

he operation of culti-
land be a tedious one?
least; no more than
p the land.

make an early return?
first year, or the se-
theat.

how many months?—
even months from
and putting the corn

ould be the most fa-
vourable for putting the
Towards the rainy sea-
son.

1 speaking of those
the between?—Yes;
veral districts.

t be most convenient
e those intermediate
separate district?—
edly a separate dis-

re any woods to be
Albany?—There are
ls, or rather groves,
uld be better to leave

materials would the
pply, or what would
e to send there to-
ting buildings?—No-
on work.

timber sufficient?—
colony; all the coun-
designated the Anti-
Zilsikama, would sup-
for every purpose.

are the unoccupied
ey are the woods be-
government, where a

supply of timber could be drawn;
but they are not in the district of
Albany.

Would the iron work or any
other materials be easily landed
at Algoa Bay?—Yes.

Is there from Algoa Bay a to-
lerable road to Albany?—Yes;
the same sort of road as there is
all over the colony. The facility
of emigrants building houses
there, and making shelter for
themselves, is exceedingly great;
for in building the walls of a
house they make them with mud
alone; and it is not easy to be
credited by those who have not
seen them, how excellent and
strong a wall is made by those
means.

Is there no stone?—Yes; but
it is seldom used on account of
the labour it requires. Following
the method they have of building
in the country; they make walls
with mud, as good as they are
made with bricks in this country,
and better than they are built
with common bricks.

What would be the vent for
the surplus produce of the colony
formed there?—By ships coming
to Algoa Bay to receive it there,
if it was produce that might be
exported, or afterwards sent by
the coast to Cape Town, where
it would take the same chance as
all other produce sent there.

What do you apprehend the
productions would be chiefly?—
Corn, wine, hides, ivory, and
ostrich feathers.

Is the pasturage good?—The
district of Albany is very fine
pasture country.

Do you think tobacco would
be an article of export?—Yes, I
think it would succeed extremely
well,

grow wild there.

What is the extent of the district?—It is a hundred miles in length, and perhaps fifty in breadth. I have stated that it would support several thousands.

If there was any settlement established at Albany, would there be any facility of supply for cattle?—More than at Cape Town, for the country is a good country.

Where would the stock be contained, are there any wild animals?—It might be purchased from the farmers at a very cheap rate. I have mentioned the district of Albany as a very good situation because, if the population of the district should ever become great, being on the borders of Caffree country, land might be purchased at a very low rate from those tribes.

What is the state of that country?—A very fine country; by the way, those who have been to the east of the Cape it has been said to be much more beautiful than the colony in general.

What are the habits of the people?—The

PARLIAMENTARY REPORTS. 335

izing point except on the ns; and the country it quite open to receive the on the first landing of the t, so that no expense be incurred in preparing d. The country beyond ny, to the northward of country of a different de- a from that I have de- in Albany; that is ex- ly well suited for pastur- l rearing large flocks of by which although the t may not produce any om such a position that he d to market, he may be ure of living without the want; from what I have ong the Dutch settlers, r smallest exertion always s an abundant supply of ecessary of life.

there any wild animals to e with those sheep?—Yes, e, but they seldom inter- indeed the increase of the a that part of the country am speaking of on the a boundary, is annually so ge, that the loss of ten or by wild animals is not felt olonist; the usual number flocks of those farmers from 2,000 to 7,000 or eep.

would have the export of ol?—Yes, if the distance make it difficult; those kill their sheep and con- hem on every occasion r the sake of getting the which they make soap, hey carry to Cape Town. osing a number of persons a the point of proceeding a Bay to settle, what are ential requisites that you

would recommend they should take with them, of tools, clothing, and supplies of every description? —I should advise that all agricul- tural implements particularly, and such kind of common tools as would be necessary in the con- struction of their buildings; it does not strike me that it is ne- cessary to take out a very great stock of any kind.

Seeds and cattle they might procure in the colony?—Yes, very easily; I am confining my observations to an emigrant who is leaving this country from poverty; I am not making a pro- vision for his enjoying luxuries, but merely living comfortable.

What would be the best num- ber of persons to commence such an establishment?—I should think about 300 as a small number; I think by a small number begin- ning at first, and preparing the way, another much larger number might come immediately after- wards; but it would hardly be judicious to throw a great number of people into a strange country at first.

Would 300 be sufficient to pro- tect themselves from the Caffres? —Yes.

Were you in Plattenburg Bay? —Yes, I was; I stopped there long enough to see every thing that was desirable.

Is it a bad anchorage, or is the harbour itself bad?—Not so bad as to be impracticable; but at a certain season of the year it is dangerous, but it is very little worse than Algoa Bay.

Is the river navigable at all?— No; there are none of the rivers on the coast navigable.

At any season of the year is it unfavourable

unfavourable as a harbour?—Yes, at any time when a south-east wind blows.

Are you secure from that wind the greater part of the year?—Half of the year; and during the other half it is not always dangerous; so much so that whenever government have occasion to send troops or stores, they send them at any time.

Does not the colony derive their fuel from Plattenburgh Bay?—No; their demand of common fuel is got nearer; the resources of timber in that country are scarcely known, they are very great, and it will be a great while before they are exhausted.

What is the description of timber?—Not any timber we know of in this country; to use the language of carpenters, it is a kind of yellow wood, more resembling fir than any thing else.

Is there any wood fit for ship-building; any teak?—No; but there is a species of wood which very much resembles mahogany, and is almost as valuable; I think the produce of the Cape in articles of commerce remain entirely to be discovered, and made use of. Various kinds of timber that grow in the forests are applicable to, I suppose, all the purposes we can want for domestic uses; I could particularly mention one, which I have imagined would answer all the purposes of *lignum vitæ*, and another as good as box wood.

Do you include making blocks from *lignum vitæ*?—Yes; I mean that particularly, the natural productions of the Cape colony have never had any experiment made upon them. How far they may

be convertible into art commerce, I am not able to say; it is not likely that the inhabitants of the colony, the Dutch boers, will ever mean of bringing those to light; so that a great good might be expected derived from European going there, men of some knowledge of the arts of this country. I think there is no doubt we would soon discover a number of useful things, that would turn to their own advantage to the political advantage of the colony. Also, from the sometimes warm natural climate it is very probable that the productions of countries, articles of commerce might be cultivated to great success. I would only say with regard to the mines of the colony, it is altogether unknown; and, therefore, it is worth the attention of the settler to examine it.

Extracts from the Report of the Select Committee appointed to consider so much of the law as relates to capital punishment for Felonies.

Your Committee, in consequence of the trust delegated to them by the House, have endeavoured strictly to confine themselves within the limits prescribed by the terms of their appointment. In some cases they have laid down restrictions on themselves, which the resolution of the House has not imposed. They have abstained from all consideration

PARLIAMENTARY REPORTS. 337

felonies which may be of a political nature, directed against the authority of government and the general safety of society. To the nature and efficacy of the secondary punishments, of transportation and imprisonment, they have directed their inquiries, because the Committee had been appointed to investigate them, and no part of the facts or results to be stated in this report will be found to depend on the present state of secondary punishments, or the degree of improvement of which they may be found capable. Many extensive and important parts of the criminal law; for example, as that which relates to the trial of offenders; in which we are entirely satisfied, and could not have suggested changes in these departments even if they had been the appointed province of the Committee. On other parts of the subject; as for example, the definition and arrangement of crimes, they have recommended a consolidation of the law respecting only one class of crimes, and have presumed only to express a general opinion of the efficacy of the like consolidation in some other cases. They expressly disclaim all interference with the right of the legislature to inflict the punishment of death wherever that punishment, taken alone, seems capable of protecting the community from heinous and atrocious crimes.—The effect of the Committee has been to ascertain, as far as the facts of the case admitted, by

LXI.

evidence, whether, in the present state of the sentiments of the people of England, capital punishment in most cases of offences unattended with violence, be a necessary or even the most effectual security against the prevalence of crimes.

1.—In the first place, they endeavoured to collect official accounts of the state of crimes and the administration of criminal law throughout the kingdom, from the earliest period to which authentic information reaches. The annual returns of commitments, convictions and executions, first procured by addresses from this House, and since required by statute, go no farther back than 1805. Accounts, though not perfectly satisfactory, of the same particulars, from London and Middlesex, from 1749 to the present time, have been already laid before parliament, which, with an official summary of the returns of England and Wales from 1805, will be inserted in the appendix of this report.

A full and authentic account of convictions and executions for London and Middlesex, from 1699 to 1804, obtained, for the latter part of that time, from the clerk of arraigns at the Old Bailey, and for the former part from the officers of the city of London, is inserted in the appendix. The corporation of the city of London have shown on this occasion a liberality and public spirit worthy of acknowledgment; and it is to be hoped, that they will continue their researches as far back as their records extend, and thus complete

Z

plete returns, probably unparalleled in the history of criminal law.

The deputy clerk of assize for the home circuit, has laid before your Committee a return of commitments, convictions and executions on that circuit, which comprehends the counties of Herts, Essex, Kent, Sussex and Surry, from 1689 to 1718, from 1755 to 1784, and from 1784 to 1814. The returns of the intermediate period from 1718 to 1755, he will doubtless furnish very soon. From this important return it appears, that, for the first thirty years which followed the revolution, the average proportion of convictions to executions was 38 to 20; that from 1755 to 1784 it was 46 to 13; and that from 1784 to 1814, it was 74 to 19. It is worthy of remark, that the whole number of convictions for murder, on the home circuit, in the first period was 123; that the executions for the same period were 87: that in the second, the convictions for the same offence were 67, and the executions 57; and that in the third, the convictions were 54, and the executions 44. If the increase of the population during a prosperous period of a hundred and thirty years be taken into the account, and if we bear in mind that within that time a considerable city has grown up on the southern bank of the Thames, we shall be disposed to consider it as no exaggeration to affirm, that in this district (not one of the most favorably situated in this respect) murder has abated in the remarkable proportion of three if not four to one.

In the thirty years from 1784 the whole convictions for murder in London and Middlesex were 71; and in the thirty years from 1784 to 1814 they were 146. In the years 1815, 1816, the whole convictions for murder in London were 9, with three preceding years 14. Most of the other returns relate to too short a period, too narrow a district, and want materials for safe conclusions with respect to the comparative frequency of crimes at different periods.

In general however it appears that murders and other violence and cruelty, have been diminished, or not increased, that the deplorable number of criminals is not of such magnitude as to indicate any diminution of the humanity of the people.

In considering the state of our penal laws, your Committee will first lay before you their observations on the state of which is the least likely to give rise to difference of opinion. Many statutes denouncing punishments might be wisely repealed, has long been the prevalent opinion. It is mentioned by the author of the successive committee House, composed of eminent men of their country, as some measure by the House of Commons of the House itself, who have introduced several bills on the reduction of their committee in general position, the repeal of such statutes scarcely to have been mentioned respecting the number of them, different

PARLIAMENTARY REPORTS. 339

be expected. Your committee have not attempted a enumeration, which would be required to

They selected some instances for the contention which they cannot answer a serious argument, and seem to them to serve but that of encumbrance discrediting the Statute.

Various considerations combined to guide the committee; sometimes mere expediency have raised an objection, or an almost total defect, into a capital objection.

Where the evil has been most felt and indeed temporary, though it has produced a permanent

Where the punishment was evidently unnecessary at the time of its infliction, and where, if it was really justified by a strong anger, or excused by great fear, it has long been allowed to be altogether unnecessary to the committee conceive

the committee conceive it warranted in confirming its abolition. They have also admitted further consideration; and to the intrinsic evi-

warrantable severity which arises from the fact of the act forbidden being threatened, so that the law has been executed since its enactment, or if it has been in disuse as the nation is humane and gentle, your committee consider themselves as

authorized to recommend its repeal by long experience and by the deliberate judgment of the whole nation. In the application of this latter principle, they have been materially aided by the documents which have been mentioned. Where a penal law has not been carried into effect in Middlesex for more than a century, in the counties round London for sixty years, and in the extensive district which forms the western circuit for fifty, it may be safely concluded that the general opinion has pronounced it to be unfit or unnecessary to continue in force.

It has sometimes been said, that the abolition of penal laws which have fallen into disuse is of little advantage to the community. Your committee consider this opinion as an error. They forbear to enlarge on the striking remark of lord Bacon, that all such laws weaken and disarm the other parts of the criminal system. The frequent occurrence of the unexecuted threat of death in a criminal code, tends to rob that punishment of all its terrors, and to enervate the general authority of the government and the laws. The multiplication of this threat in the laws of England has brought on them, and on the nation, a character of harshness and cruelty which evidence of a mild administration of them will not entirely remove. Repeal silences the objection. Reasoning founded on lenient exercise of authority, whatever its force may be, is not calculated to efface a general and deep impression. The removal of disused laws is a preliminary operation

operation which greatly facilitates a just estimate, and (where it is necessary) an effectual reform of those laws which are to remain in activity. Were capital punishments reduced to the comparatively small number of cases in which they are often inflicted, it would become a much simpler operation to form a right judgment of their propriety or necessity. Another consideration of still greater moment presents itself on this part of the subject; penal laws are sometimes called into activity after long disuse, and in cases where their very existence may be unknown to the best informed part of the community; malicious prosecutors set them in motion; a mistaken administration of the law may apply them to purposes for which they were not intended, and which they are calculated more to defeat than to promote: such seems to have been the case of the person who, in the year 1814, at the assizes for Essex, was capitally convicted of the offence of cutting down trees, and who, in spite of earnest applications for mercy from the prosecutor, the committing magistrate and the whole neighbourhood, was executed, apparently because he was believed to be habitually engaged in other offences, for none of which however he had been convicted or tried.

This case is not quoted as furnishing any charge against the humanity of the judge or of the advisers of the crown; they certainly acted according to the dictates of their judgment: but it is a case where the effect of punishment is sufficiently shown by the

evidence to be the reverse of exemplary, and it is hard to say whether the general disuse of the capital punishment in this offence, or the single instance in which it has been carried into effect, suggests the strongest reasons for its abolition.

The statutes creating capital felonies which the committee have considered under this head, are reducible to two classes; the first relate to acts either so nearly indifferent as to require no penalty, or if injurious, not of such a magnitude as that they may not safely be left punishable as misdemeanors at common law. In these your committee propose the simple repeal; they are as follows:—

1.—1 and 2 Phil. and Mary, c. 4. Egyptians remaining within the kingdom one month.

2.—18 Charles 2, c. 3. Notorious thieves in Cumberland and Northumberland.

3.—9 Geo. 1, c. 22. Being armed and disguised in any forest, park, &c.

4.—9 Geo. 1, c. 22. Being armed and disguised in any warren.

5.—9 Geo. 1, c. 22. Being armed and disguised in any high road, open heath, common or down.

6.—9 Geo. 1, c. 22. Unlawfully hunting, killing, or stealing deer.

7.—9 Geo. 1, c. 22. Robbing warrens, &c.

8.—9 Geo. 1, c. 22. Stealing or taking any fish out of any river or pond, &c.

9.—9 Geo. 1, c. 22. Hunting in his Majesty's forests or chases.

10.—9 Geo. 1, c. 22. Breaking

PARLIAMENTARY REPORTS. 341

the head or mound of
l.

Geo. 1, c. 28. Being
within the Mint.

Geo. 2, c. 29. In-
estminster-bridge, and
ges by other acts.

ond class consists of
ces which, though in
1 of your committee
to be punished with
yet so malignant and
as to require the
ishments except death
known to our laws.
committee would make
either by transporta-
prisonment with hard
lowing considerable
he discretion of the
ecting the term for
r punishment is to en-

Eliz. c. 9. Taking
aid, widow, or wife,

ac. 1, c. 26. Acknow-
rocurring any fine, re-

o. 1, c. 2, s. 4. Help-
recovery of stolen

o. 1, c. 22. Mali-
ng or wounding cattle.

o. 1, c. 22. Cutting
troying trees growing,

o. 2, c. 30. Bankrupts
ering, &c.

o. 2, c. 30. Bank-
aling or embezzling.

o. 2, c. 37. Cutting
nk of any river.

o. 2, c. 20. Destroy-
e, lock, sluice, &c.

Geo. 2, c. 23. Making
y in a marriage re-
Five felonies.

11.—27 Geo. 2, c. 15. Sending
threatening letters.

12.—27 Geo. 2, c. 19. Destroy-
ing bank, &c. Bedford Level.

13.—3 Geo. 3, c. 16. Person-
ating out-pensioners of Green-
wich-hospital.

14.—22 Geo. 3, c. 40. Mali-
ciously cutting serges.

15.—24 Geo. 3, c. 47. Har-
bouring offenders against that
(Revenue) act, when returned
from transportation.

In the more disputable ques-
tions, which relate to offences of
more frequent occurrence and
more extensive mischief, your
committee will limit their present
practical conclusions to those
cases to which the evidence be-
fore them most distinctly refers.
They cannot entertain any doubt
that the general principles which
have been so strikingly verified
and corroborated in some parti-
cular cases by that evidence, ap-
ply with equal force to many
others, relating to which they
have not had sufficient time to
collect the testimony of witnesses.
That some offences which the
law treats as arson, and more
which it punishes as burglary,
are not properly classed with
these crimes, and ought not to be
punished with death, would prob-
ably be rendered apparent by a
legislative consolidation of the
laws in being respecting arson
and burglary. The same result,
though in a less degree, might be
expected from a similar operation
in other important heads of cri-
minal law.

On the three capital felonies
of privately stealing in a shop to
the amount of five shillings,—of
privately stealing in a dwelling-
house,

house to the amount of forty shillings; and of privately stealing from vessels in a navigable river to the amount of forty shillings, the House of Commons have pronounced their opinion, by passing bills for reducing the punishment to transportation or imprisonment.

In proposing to revive those bills, your committee feel a singular satisfaction that they are enabled to present to the House so considerable a body of direct evidence in support of opinions which had hitherto chiefly rested on general reasoning, and were often alleged by their opponents to be contradicted by experience. Numerous and respectable witnesses have borne testimony, for themselves and for the classes whom they represent, that a great reluctance prevails to prosecute, to give evidence, and to convict, in the cases of the three last-mentioned offences; and that this reluctance has had the effect of producing impunity to such a degree, that it may be considered as among the temptations to the commission of crimes. Your committee beg leave to direct the attention of the House to the evidence of Sir Archibald Macdonald, on this and other parts of the general subject, in which that venerable person has stated the result of many years' experience in the administration of criminal law. They forbore to desire the opinion of the present judges, out of consideration to the station and duties of these respectable magistrates. It appeared unbecoming and inconvenient that those whose office it is to execute the criminal law should

be called on to give an opinion whether it ought to be altered.

But highly as the too esteem and respect the law, it is not from them that the accurate and satisfactory evidence of the effect of the law can reasonably be expected. They only see the external criminal proceedings after they are brought into a court of justice. Of the cases which appear there, and of the motives which influence the timony of witnesses, they form but a hasty and inaccurate estimate. Even in the verdicts they may often be deceived. From any opportunity of observing the influence of punishment upon those classes of men among whom murders are most commonly committed, judges are, by their station and duties, placed at a great distance.

Your committee have for evidence on these points from those classes of men who are sufferers from larceny, who must be prosecutors when larcenies are brought before them, who are the witnesses in such charges must be examined, and who are the judges by whose verdicts only can be given to the law. In this class of persons, where crimes are most frequent, where long and extensive experience allows little room for error and none for misregulation, or in other words, in the cities of London and Westminster, your committee have principally re-
info

PARLIAMENTARY REPORTS. 343

tion. To the clerks at
es of magistrates, and to
icers of criminal courts
give informations and pre-
dicaments, to experienced
ites themselves, and to
lers and others, who, in
ormance of their duties,
stant opportunities of
g the feelings of of-
the committee have also
their inquiries; their tes-
has been perfectly uni-

due consideration of this
at question, your com-
re of opinion, that for-
are a class of offences
ig which it is expedient
together and methodize
now in being. That in
ent state of public feel-
eduction of the punish-
most cases of that crime
ne necessary to the exe-
of the laws, and conse-
to the security of pro-
d the protection of com-
and that the means
by the legislature to
our ancient standard of
nder the reformation of
inal laws respecting for-
matter of very consider-
ency. Private forgeries
the opinion of the com-
be sufficiently and most
ly repressed by the
ents of transportation
risonment. As long as
ler notes of the Bank of
shall continue to consti-
principal part of the
ng medium of the king-
ay be reasonable to place
the same footing with
llic currency: your com-

mittee therefore propose, that
the forgery of these notes may
for the present remain a capital
offence; that the uttering of
forged Bank notes shall, for the
first offence, be transportation or
imprisonment; but that on the
second conviction the offender
shall be deemed to be a common
utterer of forged notes, and shall,
if the prosecutor shall so desire,
be indicted as such, which will
render him liable to capital pun-
ishment.

Respecting the offence of
knowingly possessing forged
notes, your committee have no
alteration to suggest but what
they conceive would be fit in all
transportable offences, that a
discretion should be vested in the
judges to substitute imprisonment
with hard labour for transporta-
tion, where such a substitution
shall seem to them expedient.
As the discovery of the actual
forgers of Bank notes has been
found by experience to be in the
highest degree difficult, your
committee consider the sugges-
tion of the commissioners for in-
quiring into the means of pre-
venting forgeries, of offering an
unusually large reward for the de-
tection of forgeries, as worthy of
serious consideration: to such
rewards in general, the committee
feel an insuperable objection. In
the case of forgery there are
circumstances which considerably
weaken the objection. No jury
could convict in such a case on
the mere evidence of an informer,
unsupported by the discovery of
those materials, implements and
establishments necessary for car-
rying on the criminal system.
The

The reward would therefore have little tendency to endanger innocent men by false accusation. The evidence on which the conviction would rest, must be of a sort which can hardly deceive. The informer would only furnish the key by which the means of evidence would be found; the reward would rather be for detection than for conviction.

There are several points on which your committee are desirous of offering some observation to the House: two of these are of great importance: the first relates to the best means of enabling judges to pronounce sentence of death only in those cases where they think it probable that death will be inflicted; the second, whether the establishment of unexpensive and accessible jurisdictions, for the trial of small offences, with the help of juries, but with simple forms of proceeding and corrective punishments, might not be a means of checking the first steps towards criminality. These and other parts of this great subject, the committee hope that the House will allow them another opportunity to consider, by permitting them, in the next session, to resume, and if possible to complete their inquiries.

Thomas Shelton, Esq. Clerk of Arraignment at the Old Bailey, examined.

What do you, speaking upon conjecture and general estimate, take to be the proportion of the persons capitally convicted, compared to the proportion of those who receive sentence of death?—I believe in the paper which you

alluded to just now, the number of capital convictions and executions are stated; this is a copy of that account, showing the number for London and Middlesex [handing it in.]

The proportion in that account is rather more than one in twelve?—Yes.

In your experience of these proceedings, what do you think is the effect or result, with respect to the impression made by pronouncing sentence of death, on the minds of malefactors and spectators?—It depends a great deal upon the address made to them by the judge who passes the sentence. I have not an opportunity of seeing the prisoners afterwards when they go from the bar; many of them receive it with great indifference indeed, many of them, but some of them are greatly affected.

What have you observed to be generally the apparent effect produced upon criminals, by hearing an unfavourable verdict given against them in a capital case?—Some of them seem to labour under great anxiety, and you may discover it particularly in their attention to the jury whilst they are considering their verdict; some of them show a considerable degree of feeling when they hear the verdict pronounced, if it be a verdict of guilty; and others (and I am sorry to say the greater part by far) hear it with great indifference.

Should you judge, from the way in which generally old offenders receive the verdict of the jury against them in capital cases, that they conceived it to be a sentence which is to be accom-

panied

PARLIAMENTARY REPORTS. 345

with the loss of life?—
certainly appear, some of
to be more alarmed than

mean old offenders?—

you suppose that that arises
their belief that judgment
more likely to be executed
them than others, or from
perience they have had of
taking its course in the
other people?—It occurs
that it is from the apprehen-
sion that the law will take its
course, and that they conceive it
the sentence of the law
executed.

very considerable number of
persons who are tried at the
bailey, one may say, are
ctors by profession; that
sons habitually engaged in
?—Yes, they are.

great number of persons are
than once or twice brought
to bar?—O dear, some are
it many times.

would you ask you, if you
had considerable experience
reluctance of prosecutors
bear against criminals?—

as to what extent has that
observable in small offences
are capital by law; do you
find, in almost all instances
the crime is not in itself
atrocious description, but
by law, that there is a
reluctance in individuals to pro-
secute?—No, not generally; in
cases of stealing in a dwelling-
house to the amount of upwards
of ten shillings, and privately
in shops to the amount
of ten shillings and upwards,
there is a great anxiety on the

part of the prosecutors generally
to undervalue the property stolen,
and to reduce it under the sum
that makes it capital.

What do you suppose to be
the cause of that?—It is lest the
party should be capitally con-
victed?

Then there is a considerable
reluctance in those instances you
mention in the parties to prose-
cute capitally?—Certainly; but
the officer who frames the indict-
ment frames it according to the
nature of the offence, and that
has been done with more parti-
cularity lately than in former
years; in many cases formerly it
was omitted to be stated, that
the property was stolen in the
dwelling-house, or that it was to
the amount of forty shillings.

That was the case at the begin-
ning of your time?—Yes.

In the case of murder, do you
find any reluctance to prose-
cute?—No, except in the cases
of the murder of bastard chil-
dren.

But not in cases of the murder
of men and women?—No.

Do you find it so in very atro-
cious cases of burglary; do you
find that there is, in such case,
a great reluctance to prosecute?
—I recollect but very few in-
stances of burglary, unless it be
constructive burglary, where a
shop-window is broken, or a latch
lifted, and the party enters into
a house in that way; in many
cases of that sort, the prosecutors
would willingly forbear, or seek
to elude the indictment being
capitally framed.

As there is no reluctance in
very atrocious crimes, and consi-
derable reluctance in smaller
crimes,

your experience, that if
of death were pronounced
those cases where it is in
executed, it would much
the effect of the sent
death on the minds of r
tors and spectators?—Yes
ceive it would, because
person is sentenced who
victed of murder, there is
impression made on the m
the offender, and also c
mind of every person prese

Pray have you observe
cases of forgery and othe
fences not affecting person
curity, that there is a reluc
in witnesses to appear?—I
lieve it very frequently hap
in cases of forgery.

Do you think that there
reluctance in witnesses to
their full evidence on those o
sions; I mean, is there a disp
tion to suppress facts that ma
rially affect the life of the
soner?—I have not observed p
ticularly that there is, but rat
that there is a reluctance
witnesses to appear.

PARLIAMENTARY REPORTS. 347

but where persons are convicted for privately stealing from a shop or dwelling-house, the crime is capital by the opinion of the jury have done every thing to excuse the

the juries often resort to the expedient of finding a plea of guilty of the lesser offence in a manner not suggested by the law from the bench?—

lifting do they not find guilty upon the ground of private stealing?—

you observed that there was a difference in the demeanour of persons during their trial for private stealing when the punishment is capital; and has not that difference increased in your opinion of late years?—No,

I understood you to say that in the case of smaller offences when made capital, you observed a disinclination on the part of witnesses to give evidence in the cases of for-

you observed such a disinclination on the part of witnesses to come forward in cases of private stealing, or in cases of very serious burglary?—Certainly

ask you generally, Do you think that in offences not capital if the punishment were made capital the prosecutions and convictions would become more numerous?—No; parties are not deterred after the offences are committed, for then they are irri-

tated, and the offender is taken before a magistrate and put in the course of prosecution by the injured party being put under recognizance, so that they have not any discretion to exercise, and unless in cases where the punishment depends much upon the value of the property, I do not observe any disinclinations injurious to conviction in one case more than another.

But as to forgeries there is a disinclination to prosecute?—Yes.

Now supposing, in that particular offence, if the punishment were mitigated, do not you think that persons might be more disposed to prosecute?—Yes.

It would cause a greater certainty of conviction and punishment?—Yes, because generally persons convicted of forgery were executed, and indeed it was almost universally the case.

Do you think that the severity of the punishment operates to the encouragement of the crime, by the not carrying that punishment into effect?—It increases the number.

Right Honourable Sir A. Macdonald, late Lord Chief Baron, examined.

One of the objects of inquiry of the committee is, whether the degree of severity which exists, with respect to some of the penal laws against the minor offences, has or has not the effect of preventing convictions, or deterring prosecutions?—In what instances prosecutions may have been deterred, or convictions may have been evaded, it is impossible for any

reign of king Athelstan, be-
eight and nine centuries
was considerably different
what it is now. It is well k
that stealing up to the val
one shilling constitutes the
of petty larceny, and steali
an amount above the val
one shilling constitutes a c
felony, excepting where
benefit of clergy intervenes.
is known too that the convic
of a capital felony has very st
and dangerous consequence
followed up by judgment
death. The consequence
judgment of death is attainde
word derived from *attine*
stained, and the consequence
attainder is a loss of lands, an
solute loss of goods and the c
ruption of blood, which cor
tion of blood impedes the po
bility of making a pedig
through the person who is atta
ed, and the corruption of bl
cannot be pardoned by the ki
nor can the goods be resto
merely by pardon. Now
sums which discriminate

cases of more atrocious offences, where the feelings of mankind naturally agree with the criminal law?—I have seen juries paying great attention in such cases, but never saw them otherwise affected than by being extremely careful, but not in any degree to be too much swayed by motives of humanity. I have been often surprised, and once indeed for 20 hours of an end, to see the unwearied attention of a jury, not one of whom, as far as I could observe, being inattentive for a single moment.

It has been thought, that the circumstance of sentence of death being very frequently pronounced on many offenders, which is not intended to be inflicted, has a tendency to diminish the terror of the punishment. Does your experience agree with that observation?—I have thought for many many years, that there was a great impropriety in passing the solemn sentence of death upon 18 or 20 people, not one of whom could with any sort of propriety be left for execution; and most of whom, especially in London and other very populous places, were very confident in their own minds that they would not be left for execution; my own idea being, that the criminal law should be ingenuous, and that it should speak distinctly what a criminal is to expect; and that the execution of that sentence should be as nearly infallible as possible; which, if moderate, could well be afforded; subject always to the interposition of the crown.

What is the result of your experience with respect to the

severity of the penal laws in the revenue department?—When I held the office of attorney-general and solicitor-general, of course I had a good deal to do with the drawing of those acts; and I was always an exceedingly strong advocate for the milder course; because such cases were generally of such a nature that a man might be ruined by a conviction, and the conviction in the lower penalty in all reasonably clear cases was almost infallible. That was the principle which I myself followed.

It may be worth the consideration of the committee, to remark on the state of the law with respect to forfeiture; that there is one case which, though it may not come within the range of your inquiries, may deserve your attention. I allude to the case of *jelo de se*. It may not be totally foreign to your object, to see how the law of forfeiture stands with respect to that case. When a man kills himself, that unhappy act is attended with the forfeiture of all his goods. That is, when a family has thus lost its support, it is also to lose all possible means of subsistence. One cannot help observing, that there is something disgusting and brutal in that. When a man commits an act of that sort, his reason has been overturned and he does not look to the family, and his mind is in a state of disturbance which very nearly approaches to insanity. I take the origin of this punishment to have been in catholic times, that when a man avoided extreme unction he was not permitted to be buried in consecrated ground, which

self is beyond the real
poral punishment. W
to cases of capital felo
a forfeiture of land to
extent, the freehold go
king during the life of
The goods are irretriev
afterwards the king ha
called his "*year and
waste*;" which last,
was literally put into e
but that has not been
now for a great length
That too is attended wit
tation of poverty on the
and proceeds upon a p
which I am afraid has
operation upon the de
minds of felons, which
well-being and comfort of
families. It is supposed,
that would have a hold
mankind, which does not se
be the case, as capital fel
we all know, are, if any thing
creasing. It is too refined a
ciple to be acted upon by
persons.

Is the law in the respect
forfeiture now carried into e
cution?—Yes, the king —
it has —

PARLIAMENTARY REPORTS. 351

thought that the anti-
any crimes is hard
fine and regular
I say regular diet, I
they should have no
s of gin, or such kind

ple of England being
nd religious a people
e world, do you think
phenomenon of the
crimes results from the
he laws?—I certainly
the chances of escape
greater in cases of
ishment than in those
a more moderate
is attached; and, as I
, were punishments
better adjusted than
times would be fewer;
is another very great
rises from the chances
in cases of severity;
at every one who is
thinks himself hardly

I was going to add,
a criminal code is of
ure that you shrink
xecution of the letter,
ainly shows that that
d be modified in some
her. A statute which,
I, would shock the
mankind, must have
ct in it. There are
nstances in the letter
which, if put in exe-
ould shock mankind;
ance, if a man were to
xecution of the law
ome damage to one of
ers of Westminster-
for breaking to pieces
erry tree, not worth
n, it would be an ex-
degree of severity,
ld shock the feelings

of all mankind. It is quite enough
to say, that out of about 230
felonies that exist by the present
laws, it is seldom that more than
from a dozen to twenty of them,
when committed, are capitally
punished.

*T. W. Carr, Esq. Solicitor of
Excise, examined.*

Are you very well acquainted
with the statute of 52 Geo. III.,
cap. 143?—I cannot say I am
very well acquainted with the
statute. It was passed, I believe,
upon the recommendation of a
committee of the Lords in 1812.
I was examined before that com-
mittee. It was a consolidation
act, remitting the punishment of
death for all revenue offences ex-
cept those therein specifically
mentioned. My evidence went
to deprecate the making offences
against the revenue punishable
as crimes, unless where committed
with violence; and I understood
it was ultimately determined, to
confine the law to those species
of revenue offences where the
fraud was a forgery, or accom-
panied with violence.

I stated to the Lords' com-
mittee, that the efficacy of cri-
minal law, if it were thought fit
to apply criminal law to the
security of the revenue, depended
not more upon the means of
detection, than the sufficiency of
motive for prosecution, and the
facility of conviction. The officers
in their survey have generally
the means of detection; but it
has been found necessary, in
order to excite their activity and
stimulate their zeal, indeed to
preserve

preserve their integrity, to give them a certain share in the penalties in which they may convict offenders. The moment the offence is made a crime this motive is entirely taken away. The officer has perhaps to undergo, and generally does undergo, a considerable degree of obloquy in convicting a man who has committed an offence against the excise laws in a penalty; this becomes considerably increased if he subjects the trader under his survey to a personal punishment. But it will be easily conceived by the committee, that the officers, in addition to having to withstand the shame and discredit that are thrown upon them by the detection and conviction of a trader, have also to support themselves against the influence of the bribes which are offered them to collude in the evasion of the duties. Now both operate in conjunction against his integrity, where the offence is made a crime. The obloquy becomes more terrible, and the influence of the offered bribe becomes greater also; all motive of benefiting himself or his family by conviction is taken away, and he stands a personal sufferer without reward. When, therefore, the revenue is attempted to be secured by making the breaches of its laws crimes, it is the fraudulent trader who is secured and not the revenue. I believe that it will rarely be found that an officer, under such circumstances (and he alone is likely to come forward as a prosecutor), would make the offence known; would willingly subject himself to the obloquy which would arise

from bringing such an offender to death or transportation; but where the trader is liable to only a pecuniary penalty, no such difficulty or reluctance is experienced.

The excised manufactures to which stamps denoting the charge of duty apply, are printed goods, such as paper and calicoes, hides, and paper in general, and starch. There are two other subjects of forgery, debentures and permits, for which we prepare the paper. The word *Excise Office* is a water-mark, and it is made penal to forge it.

One sort of offence against the revenue which it was the tendency of your evidence to subject to capital punishment, the committee understand you mean to state, was violent resistance?—According to my impression, it was rarely violent resistance; and it appeared to me, that the objections which I had the honor to submit just now applied to excise forgeries just as much as to any other frauds; for much as may be written or said on this subject, the people will never be brought to feel or admit, that to defraud the revenue is a moral crime; and therefore they will continue to follow with the severest obloquy the officer who is the prosecutor and instrument of bringing any individual to the punishment of death for such an offence.

There is another reason against it, which has also considerable weight; I mean the difficulty of conviction which attends trials for criminal offences; as for instance, for forging an impression of an excise stamp, compared with

with a trial of the same offence then subject to a penalty. It is a maxim established by innumerable determinations in the court of Exchequer, that any trader who enters his premises for the purpose of carrying on a trade under the excise, is *civiliter* responsible for a breach of the revenue laws, committed by his servants, on his entered premises such trade, but *criminaliter* the offence must be brought home to himself; and therefore fifty instances might occur, in which the commissioners of excise, who make all orders for prosecutions, might be perfectly satisfied that such offences were committed on certain entered premises, for which they could with no hope of success make an order to proceed as for a crime, though they might for a penalty.

The committee understand you to give this as the result of your experience, arising out of many years' experience and observation upon offences committed against the revenue laws?—Yes; I believe I may add one material fact. The offence of putting a forged stamp on paper was first made criminal about the year 1806 or 1807; before that time it was a penalty of 500*l.*, and it had been by no means unusual before that time to convict persons guilty of the offence in that penalty. I am not sure whether any convictions have taken place or not, but certainly very few, since it has been made a crime.

The committee would ask, generally; does your own experience, with regard to the revenue, lead you to believe that

the laws become more inefficient by becoming more severe?—If by severity is meant punishment, I should think they did; as far as relates to the making frauds crimes, I am perfectly certain they do. It is a very common thing with respect to penalties, for traders requesting a liberty to do what is objected to by the board (who always attach greater consequence to laws of prevention than to laws of punishment) because it facilitates the commission of a fraud, to say, "Grant us that, and secure it against fraud by any penalty you please; let it be one or two thousand pounds." It is perfectly well known, that such penalties never are or can be enforced to their extent, therefore they amount in their excess to nothing but penalties upon paper, which experience shows to be nothing.

The committee understand you to say, that the great increase of the penalty tends to an impunity of offence?—The increase of a penalty beyond what can be levied, or what the offence can be supposed ever to merit, must be inefficacious.

There is a class of offences criminal at common law, of which the committee are no doubt aware, and which belongs not only to the excise but to every branch of the revenue, and appears to me to give as great power of punishment as ever can be desirable for revenue frauds unattended with violence, that is conspiracy. Wherever the trader and officer, or any other person, combine together to commit a fraud, that is a conspiracy at common law, and they are liable

to be prosecuted criminally for that offence. So that the commissioners of excise have, if they think the enormity of the case demands it, the means of such punishment without the aid of any particular statute for that purpose. The fact is, that the most serious offence against which the revenue has to guard, is a combination between the trader and the officer by whom the duty is charged. Against that there can be no certain protection. When once the officer is in collusion, who alone has the charge of the duty, it is only by the check of the superior officer, who may come in by chance and detect the offence, that the most extensive fraud can be prevented continuance.

It is the practice of the board of excise, and also I believe of the other boards, to make periodical returns to government of those who are under imprisonment; with an account of the circumstances of life of the prisoner; the cause of the imprisonment; his conduct, age and family. These particulars are constantly so reported, and orders are given from time to time for the discharge of such offenders without payment of the penalties incurred, where it is thought that the person has been sufficiently punished by the length of his imprisonment. There is, therefore, under the laws inflicting pecuniary penalties, not only the means of punishing a man by imprisonment who commits an offence against the revenue without property to pay the penalty, but there is likewise a discretion which may be, and always has

been, exercised to prevent that punishment from going too far; and I cannot see that any improvement can be made on this system, which is at once calculated to secure the revenue, and to provide a due measure of punishment for revenue offences, either by the exaction of a proportionate penalty, or by such length of simple imprisonment as may answer the same end.

P. Colquhoun, LL.D. examined.

Are you a magistrate for the city of Westminster, and how long have you been a magistrate?—I have upon the whole been nearly forty years in the magistracy, and have acted as a magistrate for Middlesex, Westminster, and the adjoining counties of Surrey, Kent and Essex, for the last 27 years; I resigned my situation as a police justice in January 1818.

During this period have you had general experience of the administration of the criminal law and the effects of punishment on convicted persons?—The situation I held as a police magistrate, both in the eastern and western part of the metropolis, for so many years, certainly afforded me opportunities of attending to the administration of the criminal law, and its effects in regard to punishment.

What has been your experience with respect to these laws on different offenders, in cases where the punishment has been rarely inflicted?—My experience has led me to draw this conclusion: namely,

PARLIAMENTARY REPORTS. 355

y, that the punishment be such as would answer ends of justice; and that the force of the laws should be fully (except in extreme cases) carried into execution. My opinion on the subject of capital punishments for minor offences remains unaltered; they are powerfully in preventing recidivists, and send back upon the world many offenders, by example, to renew their depredations on the public.

Do you observed a considerable repugnance to prosecute in the classes of crime which involve a large capital by the law of England?—Very frequently, indeed that I have in some instances been obliged to threaten the Government to prosecutors who refused to enter into recognisance; and I have reason to believe, that crimes in several instances, not of atrocious nature, when the punishment of death is given, are never brought under the review of magistrates at all. When such prosecutions take place it is well known that where a man is considered as too serious injuries frequently return to him greatly under the value of property stolen, that the punishment may not atone for the crime committed.

Which is the class of crime to which you allude?—The crimes to which I allude are forgery, perjury, larceny, burglary, and entering the house, horse-stealing, cattle-stealing, sheep-stealing, frame-breaking, house-breaking in the day time, highway robbery with acts of violence against a person, and various other

minor offences now subject to the punishment of death.

And when the law is executed in these cases, do you think there often prevails a general disapprobation?—It appears to me that, generally speaking, the public mind revolts at the infliction of the punishment of death on crimes not of an atrocious nature.

With respect to the most atrocious crimes, have you observed any reluctance to prosecute?—I scarcely recollect any instance in atrocious crimes accompanied with violence.

Edward Foster, Esq., Banker, examined.

You are a partner in the house of Lubbock, Forster and Co.?—I am.

Have you any experience of the effect of the severity in any of the criminal laws, as deterring prosecutions or preventing convictions?—Yes.

Will you be so good as to describe to the committee what that experience is?—I certainly, in general, might say, that I have heard of several cases, but I will only mention those I can authenticate. The first I should mention is a case of forgery where the criminal was in custody, but the prosecutor being unwilling to prosecute, on account of the offence being capital, a hint was given, that the best way to avoid proceeding would be to destroy the instrument; in order to do this, another person was introduced to the magistrate, as a friend

connived at such a scheme.

What was the station and occupation of the prosecutor? Very respectable. Another a forgery to a very large amount, 1,500*l.* the forger and the utterer were both in custody and actually committed for trial, but prosecution did actually take place; this was entirely because the offence was capital; had the punishment been ever so severe short of death, no endeavour would have been made to save the offender; there were no particular circumstances that called for mercy, and it was merely on account of the offence being capital.

Would not the prosecutors, that had not been the case, have thought it their duty to use every exertion in their power for the conviction of the party?—Certainly.

The committee understood you to intimate, it was an aggravated case of forgery?—There were no extenuating circumstances. I have another instance, which occurred not long since in

PARLIAMENTARY REPORTS. 357.

ruptcy; it is scarcely possible to imagine the extent of these. I published a tract some time since, in which I explained, there were regular houses where people could be procured at a certain percentage, who had old bills and old deed stamps, upon which they would add, upon top, to any amount, to debts under commissions, which involve capital only in the bankrupt; I suppose there is scarcely any person as seen so much of this sort of capital felony as myself. I am satisfied, that it is not to such an extent as to break the whole law at defiance. I refer to this subject to refer to the examination before a committee of the House of Commons on the bankrupt laws, on the 11th of February 1818, in which I endeavored to explain the state of the law, and its inefficacy in relation to this crime; I stated, I repeat the act, 5 Geo. II., in the year 1732, since that time there have been, I believe, at least 38,000 bankrupts for taking the average from 1732 to 1786, at 250 a year, the number of bankrupts during those years will be 13,200; the number of bankrupts from 1786 to 1805 was 16,200; taking the present average to be 800 a year, which is much below the number, that will be 3,200; the total sum from 1732 till 1810 will be 32,600; supposing the average from 1809 to 1819 to be 700 per year, which I believe is below the mark, there will be 6,300; the total number 38,900; and I have taken each of these as much below what they ought to be computed. During

this time, that is for near a century, with nearly 40,000 bankrupts, I doubt whether there have been ten prosecutions; I believe there have been only three executions; and yet fraudulent bankrupts and concealments of property are proverbial, are so common as to be supposed almost to have lost the nature of crime. With respect to bankruptcy, may I beg to refer the committee to the examination of sir Samuel Romilly, which will be found before the bankrupt committee, in page 51, where he states, "The nation, however, has been so far from adopting this severe disposition of its government, that it scarcely ever happens, that persons can be found who will institute prosecution for felonies under the bankrupt laws. Very numerous instances might, I believe, according to information which I have received from various quarters, be laid before the committee of creditors, who have deliberately resolved to allow bankrupts, by whom they had been grossly defrauded, to enjoy complete impunity, because they saw no other alternative than such impunity, or the certainty of shedding their blood. That men should feel great repugnance to put a human creature to death for such an offence cannot surprise those who have reflected what the nature of the crime really is. Whatever the language of the law may be, or whatever national expediency may be thought to require, the great mass of mankind never can be brought to regard as highly criminal that which is not to a great degree immoral; and when it is considered, that by our

our law a bankrupt is made such against his will, it is evident that the only immorality of one who has secreted none of his property, but who does not surrender to his commission, is, that he withholds from his creditors the information and assistance which he ought to afford them, to enable them to recover his effects and to apply them in satisfaction of their demands; and even this immorality may find some extenuation in the disgrace to which he must be subjected and in the danger to which he is exposed; since, however honestly he may have acted, and though every thing he has in the world be given up to his creditors, yet if he do not obtain his certificate he may be imprisoned for life, by any one creditor who will prefer gratifying his resentment to any benefit he might derive from the commission. That a man has not fortitude enough to encounter so much shame and such a risk may be culpable; but who can upon calm reflection say, that it ought to be punished with death. The crime of withholding property from the creditors is indeed much more immoral; but even this, in the case of one who has been made a bankrupt without his own concurrence, amounts in reality to nothing more than the not paying (to the extent of the property withheld) debts which it is in his power to pay. That this is criminal cannot be denied; but that it should be expiated by the blood of the offender, confounds all notions of justice and destroys all gradations of guilt; it is very dishonest, but it is not more dishonest in an obscure

tradesman than in the heir to a title; and yet for this dishonesty, while our law hangs the tradesman, it suffers all other such debtors to enjoy complete impunity; nay, it not only leaves them unpunished, but it suffers them, in defiance of their creditors, to enjoy and to squander in gaol the substance which ought to be applied in the payment of their debts; for there is no process by which, in the case of persons not subject to the bankrupt laws, copyhold estates, property in the public funds, or money lent upon security, can be taken by creditors in execution." I beg also to refer to my own examination before the committee, in which I state as follows: "I submit to the committee, that the legal sanction is in this case opposed by the moral sanction; the amount of the moral guilt of the bankrupt is the non-payment of his debts, or the non-delivery by him of his property to his creditors. Of the immorality and impropriety of this no doubt can be entertained; but I conceive that there is scarcely any person in this intelligent community, who will think that a man ought to be put to death for the non-delivery of his property; particularly, when it is remembered that the offender is not the only person to blame; there must be a feeling in the community, that the imprudent confidence reposed by creditors is not wholly exempt from censure. It appears to me that the religious sanction also is in this case at variance with the legal sanction. Our religion is daily inculcating upon us mild-

ness

PARLIAMENTARY REPORTS. 359

and forbearance; as Chris- we are taught (except for most atrocious and bloody es, and even then with sor- 'not to desire the death of er, but rather that he should from his wickedness and and we are particularly t to forgive our debtors as urselves expect forgiveness. hese reasons it appears to hat the existing laws are y inoperative." There were is persons who were exal before the committee upon ame subject, all of whose ons, expressing their disap- tion of it, will be found in xamination; and the com- on that occasion have red that the law is injurious.

* *Harmer, Esq. examined.*

u are a solicitor, residing in on-garden?—I am.
u have had considerable ex- ace in crown practice at the Bailey?—I have.
r how many years?—Twenty , within a few months, for lf; and upwards of three previous to that time in the of Messrs. Fletcher and ht, to whom I was last arti-

ve you any observations to : with respect to the effect pital punishment?—I have ; as to forgery; it appears to at the punishment of death o tendency to prevent this e. I have, in many instances, n prosecutors decline pro- ing against offenders, be- : the punishment is so severe. nces have come within my

knowledge, of bankers and opu- lent individuals, who, rather than take away the life of a fellow- creature, have compromised with the delinquent. Instances have occurred of a prosecutor pre- tending to have had his pocket picked of the forged instrument; in other cases prosecutors have destroyed, or refused to produce it, and when they have so refused, they have stated publicly that it was because the person's life was in jeopardy. I will relate a very recent circumstance, that oc- curred under my observation at the Old Bailey. A person, through whose hands a forged bill had passed, and whose ap- pearance upon the trial was re- quisite to keep up the necessary chain of evidence, kept out of the way to prevent the conviction of the prisoner: it was a private bill of exchange. I also know another recent instance, where some private individuals, after the commitment of a prisoner, raised a thousand pounds for the purpose of satisfying some forged bills of exchange; and they de- clared, and I have good reason to know the fact, that if the pu- nishment had been any thing short of death, they would not have advanced a farthing, because he was a man whose conduct had been very disgraceful; but they were friends to the man's family, and wished to spare them the mortification and disgrace of a relative being executed, and therefore stepped forward and subscribed the before-mentioned sum. I have frequently seen persons withhold their testimony, even when under the solemn ob- ligation of an oath to speak the whole

other heinous offences, often observed prosecute with great reluctance to procure recognizances; and indeed, I have many occasions, been compelled by prosecutors as to the consequences of refusing to procure to their recognizances, that appear and prosecute the prisoner.

When you speak of the offence of murder and other heinous offences, do you mean offences accompanied with violence to person, or which are likely to have their consequences to inflict serious injury?—Certainly; these are the offences to which I allude; I know that many persons who are summoned to serve as jurymen at the Old Bailey, have the greatest disinclination to perform the duty on account of the distress that would be done to their feelings, in consigning many of their fellow-creatures to death as they must now necessarily do, if serving throughout the session; and I have

PARLIAMENTARY REPORTS. 361

and that if he was kept long for more than an hour, could leave directions for an to be brought against the and others; and others I heard state, that they should Jack Ketch in their last mo- I have seen some of the separations of persons about executed with their friends, there was nothing of so- ty in it; and it was more parting for a country jour- ban taking their last fare-

I heard one man say (in a glass of wine) to his anion who was to suffer next ng, "Well, here's luck." fate of one set of culprits, ne instances, had no effect on those who were next to ported; they play at ball ass their jokes, as if nothing ie matter. I mention these nstances to show what little ommon thieves entertain of d punishment; and that so om being arrested in their d courses by the distant ility of its infliction, they ot even intimidated at its nty; and the present nu- enactments to take away ppear to me wholly ineffi- is. But there are punish-

which I am convinced a would dread, and which, if ly pursued, might have the salutary effect; namely, a e of discipline totally re- g his former habits. Idle- s one of the prominent cha- istics of a professed thief— im to labour: Debauchery ther quality—abstinence is pposite—apply it: Dissipated ny is a thing they indulge ey ought, therefore, to ex-

perience solitude; They are ac- customed to uncontrolled liberty of action; I would, consequently impose restraint and decorum: and were these suggestions put in practice, I have no doubt we should find a considerable reduction in the number of offenders; I say this, because I have very often heard thieves express their great dislike and dread of being sent to the House of Correction, or to the Hulks, where they would be obliged to labour and be kept under restraint; but I never heard one say he was afraid of being hanged. Formerly, before Newgate was under the re- gulations that it now is, I could always tell an old thief from the person who had for the first time committed crime; the novice would shudder at the idea of being sent to Newgate, but the old thief would request that he might be committed at once to that prison by the magistrate, because he could there associate with his companions and have his girl to sleep with him; which some years back used to be al- lowed or winked at by the upper turnkeys; but since the late re- gulations, certainly, I have not heard of such applications being made by thieves, because now they are as much restrained and kept in order in Newgate, as in other prisons. From my own observations, I am quite certain that a thief cannot bear the idea of being kept under subordina- tion. As to transportation, I, with deference, think it ought not to be adopted, except for in- corrigible offenders, and then it ought to be for life; if it is for seven years, the novelty of the thing

thing, and the prospect of returning to their friends and associates, reconciles offenders to it, so that in fact they consider it no punishment, and when this sentence is passed on men, they frequently say, "Thank you, my Lord." Indeed this is a common expression, used every session by prisoners when sentenced to seven years transportation.

Have you any particular observations to make on the offences of stealing in shops, and privately stealing in dwelling-houses?—I have; the stealing in a dwelling-house above the value of 40s. and privately stealing in a shop to the value of 5s. is capital; and though I have frequently been present where the evidence has in my mind amounted to demonstration, and it has struck me that many of the articles were of such value as to imperiously call upon the jury for a verdict of guilty, they have, from motives of compassion, given a verdict contrary to such evidence, by reducing the value of the article stolen so low as to lessen the offence to grand larceny.

What are the offences in which you think there is neither a general reluctance to prosecute nor to convict?—Murder, arson, burglary, but not in its extended sense, such as breaking a pane of glass or lifting a latch, but where it is committed by a professed house-breaker, who breaks into a house in the middle of the night: highway robbery accompanied with violence, cutting and other offences under lord Ellenborough's Act, where it is the clear intent of the offender to commit murder, but the interpo-

sition of Divine providence, by accident, only prevents its accomplishment.

Do you not think that offenders who have the less of death are the most dissipated and idle?—Certainly they

And therefore the more they feel confinement and labour very much?—Certainly believe it would be felt by as the greatest punishment could be inflicted,

Have you made any suggestion with respect to the expense and trouble that might be saved to prosecutors by trying cases after the fact in the county with the principal; some years ago a bill in parliament was passed to oblige the prosecutor to try the case before the fact in the county with the principal; but it appears to me that it would very much facilitate the purposes of justice if it were necessary after the fact to be liable to be tried by a principal; because previous to the act after convicting the principal in one county, are now frequently put to very great expense and obliged to go to another county to prosecute the receiver; they have all the chances of a miscarriage of justice in losing their witnesses by death or other accidental causes.

Can you state the number of persons for whom you have been professionally employed yearly, at the Old Bailey?—I cannot with certainty, but by moderate computation, I think one hundred persons yearly; and during my

at the Old Bailey, I have had personal communication with a thousand or more prisoners. Matterly you have been employed in many prosecutions also? I have.

Have you not also had frequent opportunities of observing the feelings of prosecutors and of prisoners?—Certainly; for the eight years my business for prosecutions has been progressively increasing.

But when you were employed professionally for the prisoners, did not you an opportunity of observing the feelings of prosecutors also?—Certainly; from attending the examinations, I had opportunity of observing the tastes and feelings of prosecutors.

Are the committee to understand you as stating, that you consider capital punishments to be efficacious only in those cases where the general feelings of the public go along with them?—Certainly; the thieves observe the sympathy of the public, and it seems to console them, and they appear less concerned than those who witness their sentence; I have been present on very many occasions when the sentence of death has been passed, and the criminals have been far less affected than the auditors.

Do you think that the general feeling goes along with the infliction of the punishment of death, in the cases of crime unaccompanied with violence?—Certainly it does not.

Do you conceive that the infliction of the punishment of death, in those cases, tends rather to excite the public feeling

against the criminal laws?—No doubt it does; there are, I believe, very few advocates for the generality of the present capital punishments.

Do you mean to apply that observation to those who have had the most experience of the effect of those capital punishments?—I should think I might safely so apply it.

REPORT ON GAOLS.

S. Hoare, jun. esq. examined.

You are a visitor of the Refuge for the Destitute?—I am.

Does your acquaintance with that establishment enable you to state what ought to be the provision with respect to boys in different gaols?—In the different prisons I have visited, the reformation of the boys is generally considered as hopeless; in the Refuge we generally succeed; therefore, I think that the system pursued there might be adopted with great probability of success in our prisons and penitentiaries.

Will you state to the committee what that system is; does it apply particularly to boys?—In the male refuge, chiefly to boys; there are some men among them, though but few in proportion.

Have the goodness to state the plan adopted in that establishment?—They are in some measure classed; constantly employed; their religious instruction, as well as their general education, is attended to; and improper association is very much prevented.

In

In what does that classification consist? The generality of objects admitted are lads discharged from prison, recommended by the judges or magistrates; on their first reception they are placed in the wood-shed, for no previous instruction is required for this employment; and we conceive that idleness is the source of most crimes. Whilst there, we observe their different dispositions and inclinations, and employ them afterwards according to their own wishes, in tailoring, shoemaking, or basket-making.

Have you any means of ascertaining the characters of the boys before they come in?—Most of the children, before their admission, have been in different prisons. We have very few indeed who have not been criminals.

They are almost all criminals?—Many are recommended to the institution by the judges, some by the magistrates; some of them are so very young, that it would be unreasonable to inflict upon them the punishment annexed by law to their offences.

Will you proceed to state how they are classified?—They are divided into four classes; shoemakers, tailors, woodcutters and basket-makers. The classification is not so perfect as I think desirable; but the funds of the society are very low, and we are obliged to do the best we can; but having several trusty persons continually with the children, they are prevented in great measure from contaminating each other.

State the manner in which they perform their work?—The master

tailor is in the centre of the work, with the children under his tuition both in sight and hand; the assistant tailors are on the boards, with the lads all around them; nothing can be done without being over-heard.

The committee will then enquire to state what are the numbers in each class?—There are three tailors, with three apprentices, a master and two assistants.

Each of whom takes a number?—Yes; whilst the master superintends and cuts out all.

Please to go on with the shoemakers?—The shoemaker is ranged in nearly the same manner.

State the numbers?—There are four; the master cuts out and prepares the work. There are about eight shoemakers. The rest of the boys are employed in the workshop in the service of the house, cleaning, &c. &c.

Under what superintendence are the whole?—A chief superintendent, a master with two assistants, a shoemaker with two, and a basket-maker. Three of the assistants were criminals, and were sentenced to death; were reprieved, and in the establishment, left to support themselves tolerably and with unblemished characters; but hearing of the situation in the asylum, they applied for admission and were received.

Of what description are the other students?—Persons selected by the committee as suitable for employment. In the wood

PARLIAMENTARY REPORTS. 365

the master of the establishment superintends.

Many basket-makers are not more than eight, instructed and inspected master. We do not wish

the manufacture of as that work can be the blind, with whom we ling to interfere.

Are the assistants paid?—In I speak of assistants, those officers who receive

many wood-cutters did ion?—About three and

many superintendents? Do not think there is a paid ident in that department of the objects super—but the master is continued out, and the clerk as the accounts of the ment assists.

Is paid in that department?—No.

Are there are eighty objects the whole?—Eighty is but the number varies.

How do they take their?—They have a play—the back of the pre-

common for all?—Yes, to all; but the officers and the whole of the 7 are there; they are without inspection.

Are the whole of the superintendents with them, or only some? of the masters; they duty alternately.

Are any species of hard-wood-cutting we can be hard labour; we ship-timber, cut it into lengths, and bind it in

parcels, for kindling. This employment is also carried on in the temporary refuge, a branch of the establishment.

Is that given in consequence of any refractory conduct?—There the objects do not remain sufficiently long to enable us to instruct them in a trade; they bruise oyster shells, or cut wood; at the present moment they are cutting some very hard wood which has been received from Botany Bay.

The committee would be glad to know to what description of persons you give that hard labour: how do you regulate the labour?—In the temporary refuge, which is attached to the other, the same labour is shared by all; we do not expect much emolument from it; but we consider idleness the bane, and we apply labour as the antidote.

What is the one kind of labour in which they are employed?—Bruising oyster shells, sawing wood, or any thing we can procure for them to do.

The number of eighty which you have stated is exclusive of those in the temporary refuge?—Yes, exclusive of the thirty-five in the temporary refuge; and we find it very difficult to keep the numbers within the limits.

Is sawing done by the double saw?—In the permanent refuge it is done by a circular saw; in the temporary, by a double saw.

Are they ever removed from the one to the other?—In some instances they are; but it is not the general practice; the proper objects of admission to the temporary refuge are those for whom

whom we can see a probability of reconciliation to their friends; sometimes we assist in passing them to their parish, sometimes supply them with tools, for on their discharge from prison they are usually wholly destitute.

What is the utmost extent of time you keep them for?—I think some of them have been there three months.

Do you ever keep them there as long as six months?—The institution has not been in operation longer than nine months. In visiting the prisons, we find many comparatively respectable individuals, who, when the term of their imprisonment is expired, are without characters, without the means of procuring a meal for the day, and are almost necessitated to return to the commission of crime for the purpose of procuring a night's lodging. From Newgate I believe prisoners are sometimes discharged soon after the punishment of whipping, with their backs still sore. When we see a deserving object of this description, we give him an order of admission to the temporary refuge, that it may not be from necessity if he returns to his vicious practices.

When you said three months, it only referred to the temporary refuge?—No, only to the temporary refuge; in the permanent refuge we are very sorry to part with them in less time than two years at least.

What regulates the time that any one is kept with you?—As soon as we judge them to be confirmed in good habits, and have an opportunity of placing

them out safely, we are disposed of them.

Have you any legal power to detain them?—No; we have no legal power to detain them.

Do they, in point of time, often leave you?—No.

You say one mode of management is to send them to a wood-yard from their prison?—Yes; from the trade of which they are acquiring the knowledge.

Upon an average, how long do you suppose you may keep them in the temporary refuge?—Governed by the size of the building; the medical assistant has stated, that our premises cannot accommodate more than thirty without endangering health; but we cannot confine ourselves to that number, as the cases are frequently extremely urgent that would exceed that limit.

Have you more applicants than you can receive?—

Which you are prevented from receiving for want of room?—I never attended a committee when we did not receive one case, and sometimes six, and those of urgent necessity. It is an extremely difficult task to refuse the application, because if the objects are admitted within the establishment there is every reason to suppose that they will be reformed, and as respectable members of society as respectable individuals, and if they are turned out, their characters being ruined, they have no alternative, but to return again to their vicious habits and associates.

Could you give the public generally some idea, of the time of the existence of

PARLIAMENTARY REPORTS. 367

of the result of those turned to their friends, been their characters, —I have no account from the temporary

committee are speaking of permanent refuge; they are glad to have any account of the proportion think have turned round and have gone back and character, and have not turned out to have been dismissed on account of misconduct?—

which was the composition of the establishment of present premises, to 1818, one hundred and seven, under twenty years, have been admitted; fifty-six now remain in the establishment, and are going on very well; fifty-four reformed and dismissed we have the most accurate account of their composition of those who are turned to their evil practice high, being forty-five the majority of those admitted at the com-

position of the institution, had the system in operation before we could begin with sufficient work, is also important, because any defence against it; and many of them on the dismissal of a slight offence before they had experienced the benefits of the institution, took advantage of the liberality of the premises to say: it is thus that I see the high number of who have not turned out well.

The whole number of admissions was one hundred and eighty-seven, under twenty years of age, since 1815; there are now remaining in the establishment fifty-six, consequently there remains one hundred and thirty-one to be accounted for; the committee understand you to have accounted for fifty-four which are good and forty-six which are bad, which make one hundred, leaving thirty-one to be accounted for?—Eighteen of those are supposed to have returned to crime, thirteen we know nothing at all about.

Have they run away?—We have not been able to trace them since they quitted the establishment.

Can you tell the committee, upon an average, how long they stay in the institution?—We always wish to keep them at least two years; we are tempted, sometimes, to break through that rule, when an eligible opportunity offers. Tradesmen like them for apprentices; the first two years of an apprenticeship being the time when little profit accrues to the master. The lads are better taught with us than in most shops, and masters like to take them from us when the first two years, which are unprofitable, are expired.

How, then, are they disposed of?—Some of them are bound as apprentices, and suitable situations provided for them; eleven were lately sent to the Cape of Good Hope, bound to a gentleman employed in agriculture there.

Do you give any premium?—We give 5*l.* and fit them out.

What

368 ANNUAL REGISTER, 1819.

What is the general mode of restoring them to credit in society; that appears rather extraordinary?—They are frequently restored to their friends, when they are respectable and we think a complete reform has taken place in the object; frequently they are put out as apprentices; sometimes they go to sea. Some lads have been to sea before they come to us; these, if we can find a suitable captain with whom to place them, we endeavour so to dispose of in their former employ.

Does this apply to those who are bred to trades?—Frequently.

When you apprentice them out, do you give the whole premium at once?—Yes; the premium is so small that little advantage is gained by reserving a part.

Do you lose sight of them altogether, after they are apprenticed?—No, we frequently inquire after them, feeling strong interest in their welfare.

What is the total number of objects in the Refuge for the Destitute, independent of the women?—On the permanent establishment, eighty males, in the temporary, about thirty-five.

Hitherto you have only been speaking of males?—Yes.

The Committee wish to know whether, in apprenticing them out, you find the masters make any inquiry as to their conduct and character, or only as to their qualification as manufacturers?—Both; the masters more often than not come and look over the boys and make their own selection.

Do they look over the returns?

—No; they see their work, and select them as they may happen to like their appearance.

The question is, do you find, when the masters express an inclination to take the boys, they inquire into their general conduct, or only their skill in their manufacture?—I think they inquire more into their skill in the manufacture. When we recommend a boy, it would not be without considerable experience of his good conduct, and in this we are seldom deceived.

Can you say whether those forty-six who turned out ill were apprenticed, or what number of them were apprenticed in the same way as the others who turned out well?—I should think those forty-six (but it is merely speaking at hazard) left us at a very early period of the establishment, or when they had continued in it a time, so that they could not have been apprenticed out. When we think they are sufficiently reformed to be apprenticed out, they seldom disappoint us.

For what time do you bind them out?—To the age of twenty-one; we receive some as young as twelve.

You have not spoken any thing about the schools?—A portion of the day is appropriated to instruction; they are educated in the principles of the church of England.

You have a master, have you not?—We have a chaplain who attends to their education and devotes much of his time to the religious instruction of the children.

What is his salary?—£200 a-year,

PARLIAMENTARY REPORTS. 369

out of which he pays an
it.

he live in the establish-
—No, he lives immediately
it.

he any other duty to per-
—He is curate of St. Leo-
Shoreditch.

aps you could tell the
ttee what part of the day
mployed in education?—In
ning, after work is done;
are read morning and
; and when labour is over
ceive religious and general
ion.

same in summer and win-
es, with a variation in
rs.

ou admit a second time
ys who misconduct them-
n their situation?—It is
y to our rules, but some-
e do it; we find great
y in refusing them.

in some instances you
admitted some of those
s?—Yes; they will earn-
ply for admission, but we
y refuse them.

ig been convicted of any
rime?—No, but when re-
y hunger and want.

osing they have miscon-
themselves, and apply for
ssion, how long do you
em? We consider them
objects, and treat them
igly.

hey frequently apply to
ain for re-admission?—
y often.

ou find a reformation take
a second admission?—
me have conducted them-
ery well since.

friends are allowed to see
LXI.

them once a-week, are they not?
—Yes.

In what way?—They come to
the establishment, and the boys
are called down.

They see them privately?—
No; never but in the presence
of an officer.

Who gives permission?—The
master, the discretion rests with
him; but a great part of the
boys are poor and destitute,
and have not a friend in the
world.

Do you think, after the expi-
ration of two years, their labour
would pay their subsistence?—I
am satisfied that it would, after
that time they will earn to the
establishment twelve shillings a-
week; I should think, at the end
of the first year, their earnings
would be from seven to eight
shillings; at the end of the se-
cond year, not less than twelve
shillings.

Do they receive any part of
their earnings?—At their dis-
charge they do.

A sixth is their proportion;
but in fact, when we find a safe
situation for a boy, we do not
spare a good outfit; he does not
leave the establishment without
money in his pocket and a suffi-
cient quantity of clothes.

Have you any reason to know
that their labour after two years
would pay their subsistence?—
We find, after the expiration of
two years, they can engage them-
selves as journeymen, and earn
their bread. We have now as
many orders as we can well exe-
cute; and as we do not undersell
tradesmen, it is reasonable to
suppose, if they can earn their
living

living with others, they do it with us also.

Do you think, under the present improved discipline, if fifty boys were to remain in the institution for two years, that the majority of them would conduct themselves respectably?—I should have no doubt at all that five-and-forty out of the fifty would become valuable members of society.

Do many come into the institution who are unable to read?—Yes; and we generally find a very exact proportion between ignorance and guilt; if a boy comes in wholly ignorant, it generally appears that his offences are of a far deeper dye than of those who have received instruction.

In what state do they go out?—They receive education, and go out nearly as much instructed as the others.

I think the present improved system, the constant employment and other means adopted, almost insure reformation. At first I think that the objects were not treated with a sufficient degree of kindness; the poor fellows have received nothing but harshness and mismanagement from their earliest infancy, and are therefore easily to be worked upon by kindness.

How are they disposed of at night?—Owing to the contracted state of the funds, there is a defect in this part of the system; they sleep in hammocks; their masters, however, are within hearing, so that a word can scarcely be spoken without being overheard. It would be much

better, if we were enabled to allow them separate apartments.

What is the mode of admission?

—By a committee, who meet on the premises every Friday; they endeavour to select the most forlorn cases, and it is frequently a very painful thing to make the selection; indeed, some of the members of the committee will order the doors to be shut, that their feelings may be spared the pain of rejecting those who cannot be admitted from the number already in the establishment.

Do the boys often apply themselves for admission, without being brought?—Frequently. I should think the applications, though discouraged by frequent refusals, would not average less than seven or eight a-week.

Do you consider that you reject half the deserving cases that apply?—I have no doubt that we reject three-fourths of the deserving cases; perhaps if I say five-sixths I should be nearer the truth.

Do you receive any who have not been confined in prison?—

The majority have been in prison. We feel ourselves bound to receive all those who are recommended by the judges, in consequence of receiving assistance from government; and they are always suitable objects.

How many are there now in the temporary refuge?—Thirty-three.

Do you mix them with the others?—No; it would be very undesirable to mix those who come to the temporary Refuge with those who have been for some time under reform.

How

PARLIAMENTARY REPORTS. 371

What is the temporary Refuge reported?—By the individual members of the committee; the sanction of government is not due to that part of the statement. It originated with the Society for the reformation of juvenile delinquents and improvement of prison discipline. In visiting the prisons, they discovered so many destitute objects, who had literally no means of support upon their discharge, they prevailed upon the committee to allow them to occupy a part of their premises as a temporary asylum. This was done at the expense of the committee, but the members of the Refuge only have to grant admissions.

How do you use any corporal punishment?—It is directly contrary to the rules of the society, and has never proceeded beyond a blow.

Has it been stated that they do not differ from one another; do they never pilfer any of the materials which are given to them?—No; had they the inclination they have no opportunity of doing so; they are always watching them; take away anything, and the consequence is known.

What is the general rule as to the age of the children?—It is not to receive them under twelve?—Yes; would you think the majority are under twelve to fifteen.

Is solitary confinement a part of the punishment?—No; we have seldom any occasion to resort to punishment.

Do they ever whipt?—They are deprived of a portion of their food, and suspended from learning, and sent to the wood-shed,

or are reprimanded by the committee.

Do you find that fifty or sixty boys can be governed in that way?—I do not doubt it; most of these lads have been spurned and ill-treated from their infancy; with such, any thing can be effected by kindness.

What reward do you apply to individuals?—They are suffered to go out for a day to their relations; we always ascertain where they are going, and always send a trusty person with them; their mothers will often come for and bring them back at night.

Have you the means of informing the committee, what are the number of juvenile offenders in the metropolis?—From the various sources of information of which I have made use, I conclude that the number of juvenile delinquents in the metropolis, under the age of twenty-one, cannot be less than 6,000.

In the practice of felony?—Of felony or larceny.

Upon what data do you found your calculation?—When the Society for the Improvement of Prison Discipline, to which I belong, were commencing their inquiries, they were very anxious to ascertain the cause of the alarming extent of juvenile depravity; and in the course of a very short time, they visited at their own houses nearly 2,000 cases. From one offender we heard of his guilty companion, and the inquiry seemed without end. When we had ascertained the causes, as we thought, of the evil, we relinquished the investigation; but from the rapidity with

372 ANNUAL REGISTER, 1819.

with which we were going on, I am satisfied that we should have found a very large number indeed. The convictions at the Old Bailey and at the different courts entirely confirm me in that opinion.

I have no correct account ; but from all that I have seen and heard of the numbers in confinement, of those frequenting the different houses of resort, I cannot estimate the total at less than 6,000.

Is it your intention to state that that is the number of those who commit fraud, or who live habitually by fraud?—I believe there are but few boys who live altogether by fraud, they have generally some little employment.

Were the 2,000 cases which your society visited, youths who had been committed to prison?—No ; the greater part had never been taken up ; the method we took to procure the information in the first instance was perhaps very doubtful ; of boys in the different prisons we inquired the names and address of their guilty associates ; we then went, according to the different references, and in the neighbourhood ascertained the characters of the boys whose names had been thus furnished. The members of the society have very frequently called upon the parents, for the purpose of suggesting to them some means of rescuing their children from the commission of crime.

Did you find that any of those boys had been to any of the national schools?—Very few. It

was from the result of those inquiries, and those I made in prison, that I speak with so much confidence with respect to the relation between ignorance and crime.

A considerable proportion of those boys get into the prisons of the metropolis ; what is the consequence to them in a moral point of view?—I have invariably asked the question in visiting the prisons, and have always received the same answer from the gables and others, that the boys have become worse and worse ; and from my own observation I can say, that lads going into prison for a first offence, generally leave it instructed in the ways of vice. I have collected this from the boys themselves, and from the other prisoners.

What does it amount to more than the boys being taught to speak more profigately?—They are instructed in the manner of committing plunder ; they have nothing to do whilst in prison but to communicate with each other, and the young mind is very active and will always be acquiring something.

Can you state any perceptible difference in those who are sent from different prisons?—Not in their after conduct ; when the boys are admitted, we are desirous to forget what has been their previous conduct ; we never speak of it to them ; and give them strict orders never to state their previous life to one another.

Mr. William Crawford examined.

Have you any means of being informed

PARLIAMENTARY REPORTS. 373

ned of the number of juvenile offenders whom you suppose exist in the metropolis?—I state to the committee the grounds on which I have formed an estimate of the number of juvenile delinquents in the metropolis. I am a member of a committee which has, during the last few years, directed its attention to this subject: in the course of our inquiries, we discovered numerous gangs in different parts of the town, and investigated the habits of about two thousand juveniles; we also obtained information of above a hundred houses to which thieves usually resort, and which are generally called "flash houses;" we understood that a considerable number of boys resorted to these houses, as many as twenty to thirty; stating it was twenty, the number of boys entering such houses will amount to two thousand. These houses are situated principally in London and Westminster, and do not include Wapping or St. George's-fields, and many other parts of the town, in which no such houses exist.

Do you include Spitalfields?—Yes. In examining the cases of two thousand boys, we calculated that about one-fourth only resorted to flash houses; I should therefore consider, that there are only eight thousand juvenile offenders of all descriptions in the metropolis; and I think they amount to considerably above that number.

Do you wish to observe, that the juvenile depredators in the metropolis are, generally speaking, divided into three classes: the

first class is composed of boys who do not join gangs of men, or of boys, but are principally in service at the time they commit the theft: the second class consists of boys who almost entirely subsist by stealing from shop windows, shop doors, picking pockets, and petty larcenies; they are not connected with gangs of men, and they generally assign this reason for it, that in street robberies the men usually place the boys in the greatest danger and give them the smallest share of the plunder; they do not resort to flash houses but to coffee shops, a great many of which are open all night, and at which they receive, I am informed, stolen goods. They usually form gangs with boys of their own ages, appear in the streets in parties of three or four, generally three; one takes the pocket handkerchief or watch, hands it to the second, who conveys it to the third: the boys of this class are by far the youngest and the most numerous description of juvenile depredators; the condition of a great many of them is very wretched: they sleep out at nights in the market-places, and are in a state of the grossest ignorance. The third class of boys consists of characters of the most desperate description, and the numbers of this class are, of course, daily augmented from boys of the preceding classes; as they advance in years and in crime they associate with men, usually resort to flash houses, and are generally concerned in committing burglaries and highway robberies.

Have the generality of them received

received any education or not? —I think about one-third of them have received some education, but in a slight degree; they have acknowledged that they have attended school but very irregularly; they could read very imperfectly; most of those who could read belonged to the old parish schools, and but very few to the schools either on the National or the British systems.

Of that one-third, how many do you imagine have received any religious education?—A very small proportion.

Where you have traced out the parents of the individuals, what state did you find the parents in, either as to circumstances or as to information?—I generally found them extremely indigent and very ignorant.

What have you observed to be the effect of the present system of imprisonment upon the character of the boys? I consider that it has a very pernicious effect upon the character of the boys committed to the several prisons: I have often been present when a boy of the first class, perhaps a servant lad, has first entered a prison; and I have witnessed his distress, his tears, his ignorance of the different boys in the prison, and his repugnance to mixing with them: I have taken down the particulars of his case, and called on his prosecutor and friends, and I have in many cases learned that the boy, though humbly, was creditably connected; that it appeared to be his first offence, and that he was not concerned with experienced thieves: upon my next visit, but a few days afterwards, I have observed the

boy to be reconciled to his companions, and have subsequently seen him gambling with some of the most desperate characters in the prison. I have known many instances in which lads have been acquitted as innocent, and discharged with habits which have eventually brought them again into confinement. One boy, whose case strikes me at this moment, was under sentence of death, and he fully expected to suffer; he had seemed very sensibly affected with his situation on his first coming into the prison, and continued for a considerable time to keep himself separate from his companions, but he was not able to resist the constant influence of corrupt association; and although his mind was at first deeply impressed with the awful nature of his situation, I saw him gambling with some of the most desperate characters in the prison, but two hours before the recorder's report came down which determined his fate.

Have you ever considered how far any part of the system adopted in the Refuge could be applied to a prison?—I think most of the arrangements in the Refuge might be adopted in prisons with better effect than in the Refuge, as we labour under disadvantages from the want of space, arising from our inadequate funds; and also from our not having a legal power to detain the objects.

*Sir John Palmer Acland, Bart.
examined.*

How long have you acted as chairman of the quarter sessions of

PARLIAMENTARY REPORTS. 375

the county of Somerset?—I was in my fifteenth year.

Were you, during that time, any particular attention to county gaol at Ilchester?—I have given up my whole life to it.

What state was the prison you first became acquainted with, and when was that?—I became acquainted with it in 1765; there was but one pump for water, and that common to the whole gaol; prisoners of every class whatever were obliged to go to that for water, and that brought regular intercourse between all classes of male prisoners; the women was in the debtors ward.

What was the state of disorder in the gaol was, we knew what could be done without neglecting the separation of the debtors; we first divided the debtors into two apartments, giving all those who required assistance from the county by themselves, but refusing such assistance unless they consented to work; of course all the other prisoners were left to themselves, subject to certain regulations regarding to liquor.

Did you proceed to two different divisions of the felons, giving as many separate places of confinement as we possibly could considering the local state of the gaol itself, which did not admit of extension.

Has any addition been made to the building of the gaol?—Several additions have been made, but we were obliged to use the best of the old building of the gaol, so as to form into separate wards with

separate kitchens and courtyards for the respective uses of the prisoners.

Was any part of the work carried on by the prisoners themselves?—A great deal; common sewers being necessary for convenience, cleanliness and health, we were obliged to make different branches of them through every ward of the prison, and to carry them to a depth of from six to ten feet, which created a great deal of hard labour in excavating and removing the earth and constructing the sewers themselves; all which operations were performed solely by prison labour; and all the foundations for new buildings were made and carried up to the surface of the ground by the same means of prison labour.

We have very good water in every ward of the prison; for which purpose we have made fourteen additional wells, entirely by prison labour, and through all our sewers we have a constant stream of water supplied from the river.

Were the prisoners employed in any of the works above ground, as masons or carpenters?—Yes; when at first we let work by contract, the contractors agreed to hire of us all labourers and persons whom they found convenient, paying the county per day according to their abilities, then we received that money and paid the prisoners their proportions.

Did you find any inconvenience in the discipline of the prison from having so employed the prisoners?—We experienced the greatest possible convenience from doing it; we should have found

found the most manifest inconvenience from not doing it, because, when we were pulling the prison to pieces, if we had not employed the prisoners we must have had a class of strangers in the gaol, who might have overpowered our people in their looking after the prisoners, or otherwise have assisted them in the means of escaping.

Had you any escapes?—I believe, during the time that we were carrying on the works, when we had a great quantity of stones cracked and piled against one of the walls, three or four men did escape out of the walls, but we got them again.

Have you observed any difference in the conduct of the prisoners since the alterations have taken place that you have described?—The most manifest.

State them?—Before, they were idle, dissolute and refractory, not knowing what to do with themselves; in point of fact, all idle men are not only meditating plans and schemes of escape, but constantly forming combinations to prevent all discipline in the gaol; whereas by means of employment, they are taken out of that restless system and made comparatively happy and comfortable.

Have you any opportunity of knowing any particular good effects in individual instances?—Numerous; every man as soon as he finds it to be his interest to be set to work (and it is a favour to be employed before trial), generally offers his services in his own particular line of labour, and by way of encouragement to him,

he is employed as much as possible in that line; if a man behaves well in his labour, he expects that the visiting magistrates will endeavour to obtain for him a remission of a part of his sentence towards the end of his time; if he should not be entitled to this reward, he knows he is to receive a certain proportion of his earnings towards his better maintenance in prison, and that the remainder is to form an accumulating fund, which, when he leaves the prison, will be paid him so as to enable him to provide for his necessities before he can get work, when he gets home; and I have always found that this system operated as a very main inducement to every one when he came into the gaol to behave well, and more especially when it is connected with the hope of even a short remission of his imprisonment; for that operates as a testimonial to his friends, when he returns home, of his good conduct in prison, and as a strong recommendation to future masters for employment. There are many instances in which I have applied to the secretary of state for a remission of part of the sentence, in consequence of good behaviour; a man was discharged the other day, I think his sentence was for one or two years; he was a manufacturer of cloth; when he came into prison, he immediately offered his services to teach his particular branch of the business to any one in the gaol, and undertook the employment hoping that he should thereby recommend himself to the favour of the visiting magistrates; in

the end he obtained that favour, and I applied to the secretary of state and got a remission of his sentence. I had also a man, who, for his good conduct, obtained a remission of his sentence, and he is now working in what was my former neighbourhood, with an exceeding good character and trusted by every one.

Are there any other instances?—Many instances, both male and female; this is the great inducement we have to hold out to prisoners. I have one man now, who has been sentenced to receive corporal punishment during the period of six months imprisonment; as soon as he came into the gaol he applied to the governor, and said, that if he behaved well and taught his trade in the gaol, he hoped he might be benefited by a remission of the sentence of corporal punishment; and I have held out that encouragement to him, and he is behaving exceedingly well, and is teaching his business to prisoners. Those examples have very powerful effects upon the prisoners in general.

Every trade that we have acquired in the gaol has been introduced and established by means of prisoners, and chiefly from holding out those inducements to them. When we had the typhus fever, two years ago, prisoners volunteered their services, at the hazard of their lives, to nurse the infected prisoners and perform all the dangerous offices required of them, in hopes that they might meet with favour; they behaved extremely well; we were obliged to hire a house two miles distant from the

prison, and our chief reliance for the security of our prisoners was from those men, because we had not servants enough for the different services required; those men knew it was not worth their while to try to escape; their better dependance for their liberation from prison was on the expectation that their good conduct and services would obtain them a pardon, which would enable them to go to their homes with redeemed characters.

I never apply for the least remission of a sentence unless I can receive an assurance that the prisoner will be employed by some master when he goes home. I have a man who occasionally works for me as a cabinet-maker; he was committed with his brother, before alluded to; when this man went into prison he was a common carpenter; he improved himself during his imprisonment in joiner's work, and is now a cabinet-maker; this advancement he owes to knowledge acquired in prison; I employ him in my house, give him the liberty of going into all my rooms as unguarded as if he had never been in prison, and I do not know whether I had not sooner trust him than another person, because he knows what the loss of character is; no man behaved better in prison, or has conducted himself better since.

How long is that ago?—Six or seven years, I suppose; it was in consequence of a question put to me by the secretary of state, when I applied for a pardon, "will any body employ these people?" and then I laid it down in the gaol as a principle, that it would

would be of no use for a prisoner to apply for a remission of his sentence unless he should be able to gain admittance to some employment when he should be discharged; and it is common for prisoners to endeavour to retrieve their characters when in gaol, that they may be the better for it when they go out.

Have you any means of knowing the comparative number of prisoners who may have returned to the gaol since the new system has been established, compared with what they might have been before?—I cannot state numbers, but they are very considerably lessened.

What length of time is required to teach a prisoner, previously uninformed, to weave those articles which are manufactured in your gaol?—We seldom put a man to learn a trade unless he is sentenced to six months imprisonment, but we prefer a man sentenced to twelve months, or a boy to that or a longer period.

Is there any coarse manufacture in this prison that would be learned in a shorter period?—Yes; the making of blanketing, druggeting and coarse things may be learned in a much shorter period, and all narrow cloth weaving may be taught in a much shorter period; but it requires a good deal of time to learn to throw the shuttle in the making of a breadth of cloth.

What period of imprisonment in general, with employment, have you found sufficient to produce a reform in the prisoners?—From six to twelve months, or two years; it requires sometimes a considerable period to bring a

boy from previous bad habits so as to be able almost to transform his nature, without which there is little reliance to be placed on his reformation. I think six months will do for some people, twelve months with others, according to their characters and dispositions.

Have you found it necessary to make use of any punishment in the prison, with a view of maintaining the discipline there?—Solitary confinement, if they behave ill.

For what length of time has that ever been extended?—Generally a few days is sufficient; but with hardened and obdurate minds it will require weeks, more or less. The governor has the power to put a prisoner into solitary confinement, but he is obliged to give notice to a visiting magistrate of his having so done, and then when the visiting magistrate comes in a day or two he examines what that person has done, and if he appears contrite and promises amendment he is generally put to his work again; if he has been found to have behaved very ill, his proportion of his earnings is forfeited to the county, as an addition to his punishment.

We take also other species of punishment, more or less partaking of seclusion from general society; if a debtor, or a man in any ward behaves ill, we remove him from that society and put him with one or more prisoners, according to circumstances, in a separate ward, which is a grievous punishment to them; they do not like to be separated from their companions; it marks them as ill-behaved

PARLIAMENTARY REPORTS. 379

ved characters, and this as a very salutary effect for what is one man's case may be another's to-

ik I have stated generally, son labour is the ground- all improvement, of ge- tranquillity, and of hope of tion in a prisoner's habits and disposition of mind : risoner action by labour ployment, and it will give determined direction to- better system of life ; in- s habits must be created, xpense what it may ; the ffects produced will com- for all numerical loss that sustained ; nothing can risoner from the bitter re- of a misspent life but em- it ; idleness and rest will t ; those will throw him on the thoughts of his life, extinguish all hope, his heart and drive him ur.

ou conceive the manu- carried on in the gaol at r could be also carried on counties where there are ufactures?—Perfectly so ; no doubt of it ; all that is is, to get a person to them, and no person will them so well as a pri-

give your prisoners a pro- of their earnings at the . Yes ; I consider it essen- this reason : our prison ce is a pound and a half l and a penny per day ; if er is to be kept at labour, uires some additional sus- ; and we having no com- chen in the gaol by which

we could prepare such articles of food, which in other prisons are supplied to prisoners, find it necessary to give him some means of adding to his sustenance, and we find that sixpence allowed in that way to find his own provision is better, and more acceptable to him, than if he was allowed any prepared articles of food to the value of one shilling found by the county ; for prisoners are not satisfied that the best provisions are provided, of which they do not see the cooking.

Do they cook their own victuals?—Yes ; in every ward there is a common kitchen, and two prisoners are left as cooks to boil the potatoes or meat, or any thing they choose to have ; and when they go to work they leave their several prepared messes in their own pots, and the cooks see to the cooking.

The instances of pride among prisoners in executing work in a masterly and expeditious manner are very frequent with us.

Would you recommend a central building for the turnkeys to inspect them?—I do not think it practicable to put all the wards of a gaol under one officer ; but I think a gaol may be effectually managed without it : if a prisoner is always exposed to open inspection, it makes him carry on his ill designs, if he forms any, in a secret manner ; but I think a prisoner should always have it on his mind, that there is a power in the officer of the prison of his overlooking without his having a knowledge of it. In the gaol at Ilchester, which is a long and perhaps as awkward a building as can

can be imagined, the governor or his officers can inspect all the wards by day, and from his bed-chamber can go into all the cells on the one side of the gaol, and through all the debtors' apartments, without ever its being known to a turnkey or a prisoner; and from the same floor of his house he can go through all the male criminal cells, and he can hear and attend to any operation that may be wrongfully going on, without being seen by prisoners or turnkeys; and I conceive that to be of the greatest possible advantage, because a turnkey should not know when the gaoler visits his prisoners, and a gaoler must have his eye as much on the turnkeys as on the prisoners, and must always consider himself in danger, and so must the turnkeys also. It is only by constant vigilance that a prison can be kept in a state of security and order; one turnkey has the power from his house of inspecting each of the debtors' courts, and the task-masters can overlook the work-yard and the female wards without being seen by the prisoners.

Would you not think it desirable, if your convenience would allow it, that each prisoner should sleep in a separate cell?—No, I do not think that is necessary; on the contrary, it very often produces the best security to have two or three or more prisoners in a room, because one in that case is a watch upon others, especially if they are classed, as I have before stated that prisoners ought to be.

Do you not think it gives a facility for licentious and dissolute conversation?—Prisoners in general have the opportunities of it

in the day-time; and I think they can have tolerably well, the risk of their doing so the night. Should improper conduct by any one, he would sleep with a lesser number by himself.

Would you have gaol if it produced loss?—Yes; I do not think it ought to be stinted not profitable.

Would you have gaol if it produced loss?—I think it a great gain if it produced, because it can govern a gaol-bour.

Sir George Onesiphorus
examined

Are you an act in the county of () I am.

Were the present gaol-house an act of correction built, and adopted there carried under your recommendation?—Yes.

Have you had a system of examining the system, and up to the year 1809. The present system of imprisonment make a discrimination of the several prisoners which are sanctioned, or ordained by law.

To what species of prisoners do you allude?—Those which I allude are, or sheriff's prison,

PARLIAMENTARY REPORTS. 381

on known and acknowledged by the common law. It is the legal place of confinement for all offenders at law. It is also the prison where every person should be who is presumed by law to be committed to the custody of the sheriff, as well in execution for deliverance at a gaol. — Secondly, the penitentiary-house, or prison of punishment for felons convicted, as ordained by an act of parliament passed in the 19th year of the present king; and which has its purposes explained by regulations modified and adapted to the application of a county, by the act for the county of Gloucester, of the 25th year 3rd, cap. 10. The provisions of this statute were afterwards made general by the act of the king, cap. 46; these provisions created, by mode of confinement, by labour and moral instruction, a system of penal discipline, as a substitute for punishments by death and transportation. — The third species is the house of correction, the purpose, when duly applied, to check the early dawn of vice and disobedience to discipline; by wholesome instruction; and by privations acting on the mind, to punish and repress incipient offenders. — Prisons are regulated by statutes of the 22nd and 24th years of the king, with reference to acts of James 1st, and the 17th year 2nd. By the Gloucester act it is directed, that the penitentiary-house shall be the place for the reception and confinement of such offenders as at

any assize or quarter-sessions of the county shall be convicted of crimes for which they would be liable to be imprisoned and kept to hard labour within any other prison of the county, &c. It is required by the said act, and by the special by-laws authorized thereby, that in this prison the offenders, during night, shall be lodged in separate rooms or cells, and "that during the hours of labour (as far as the nature of their several employments will permit) they shall be kept separate and apart from each other." — "That they shall be employed at work every day in the year, except Sundays, Christmas-days and Good-Fridays, or when (in the judgment of the surgeon) ill health will not allow of their working." — "And that their hours of work in each day shall be as many as the season of the year will permit, but not exceeding eight hours in the months of December and January, nine hours in the months of February and October, and ten hours during the rest of the year." — It is farther directed, that "every offender shall be clothed in a coarse and uniform apparel, with certain obvious marks or badges affixed to the same, as well to humiliate the wearer as to facilitate discovery in case of escape." — "And that no offender shall, during the time of his confinement, be permitted to have any other food, drink, or clothing, than such as shall, from time to time, be appointed by the justices in their quarter-sessions, or than shall be adjudged necessary in especial cases by the visiting justices; and the like penalties are imposed

imposed, as by the 19th George 3rd, c. 74, on all persons, as well officers of the prison as others, who shall supply or attempt to supply any offender confined in this prison with either food, clothing or money. The offenders, at their first rising, attend prayers in the chapel together, and in the evening, and before retiring to their night cells, are directed to walk for exercise and air in the airing-yards of the prison, in the presence of the governor or other officer, whose duty it is to see that they do not stand still and defeat the purpose of exercise by loitering in parties and caballing together in conversation." No person is permitted to enter the wards of the penitentiary-house, or to converse with any offender who is in health, except the sheriff and the justices of the peace for the county, the chaplain, surgeon and officers of the house, and except such other person as shall be authorized by a special order in writing of the justice who shall have signed the original commitment to gaol of any offender, to see such offender; but in case an offender shall be seized with a dangerous sickness, and be in consequence removed to the infirmary ward, his friends are informed thereof, and are permitted to visit such offender. "The penalties of the 19 George 3rd, c. 74, attach on escape, or on any attempt to escape, as also on all persons aiding and abetting."—But by the same act, if the visiting justices shall observe, or be satisfactorily informed of, any extraordinary diligence or merit in any of the offenders under their inspection, they are di-

rected to report the same to the justices at the gaol delivery, in order that such justices, if they think proper, recommend such offenders to royal pardon, and in the case of shortened duration of an offender's confinement, he shall, together with necessary clothing, receive a sum of money for his or her immediate subsistence as the visiting justices shall think proper; as such sums shall not exceed twenty shillings, or be less than five shillings, in case such offender shall have been confined in the space of one year, and so in proportion for any shorter term of confinement; or the visiting justices may make application to his majesty's principal secretary of state, recommending that such offender may receive such mitigation of sentence as by his majesty may be deemed meet; or if a person who shall have been confined as an offender shall have been industrious and orderly during the time of his confinement, the chaplain and governor may recommend the chaplain and the visiting justices shall on his dismissal give him a certificate of such good behaviour, and when such person shall be discharged, decent clothing shall be delivered to such person together with such sum of money as the visiting justices shall think necessary for his subsistence at the place of his legal settlement or to the limits of the county not settled within it. And if a person so discharged shall be a freeholder, or a householder, or a ship or tradesman, or an assistant housekeeper, to take him into service, or to provide him with proper and suitable en-

ment for one year next ensuing, if at the end of one year the master or mistress who shall have so employed such person shall certify that such person has served him ably and honestly during an entire year, and that he or she is content with such person's service, the justices at their quarter sessions shall allow to such prisoner a farther sum, not exceeding three pounds.

Was this prison, during the time you have referred to, conducted upon these principles?—Strictly so.

How have the prisoners been employed?—In a great variety of works of simple manufacture.

How have the prisoners been confined during the day?—All of them have worked alone so long as there were separate cells for the purpose.

What laborious work have they had?—Since the gaol was finished, the only laborious work has been walking in a vertical wheel, for the purpose of raising water for the prison, which wheel is necessarily kept going the greater part of the day; in this wheel two prisoners make a joint effort, without being able to see or to converse with each other. The prisoners are taken from their cells in pairs and work about twenty minutes; after they come out of the wheel they are generally, more or less, in a state of perspiration, and as it would be improper to put them into their cells in that state, they therefore walk in the yard for other twenty minutes. These prisoners are then returned to their day cells, and others in succession pursue the same course.

Did that working in the wheel find employment for all the prisoners in the course of the day, who were in a fit state of health?—Yes, generally, in this degree, with the exception of old men or boys, and others who were unfit for such labour.

Did you consider that as beneficial to the prisoners with regard to health?—I have every reason to believe it greatly conduced to their health.

Did it operate as a punishment, or was it undertaken with cheerfulness?—I never observed any disposition to murmur at these or any other orders which were given to the prisoners in this prison.

Was work of any other kind found for all the prisoners in the penitentiary?—Yes; some employment or other has been found for all, as necessary concomitants to seclusion.

Do you conceive constant employment to be essential for persons confined in solitude?—I believe that solitude, with occupation or employment, and with due attention to its effects, will reform the most hardened criminal; but without such occupation and such attention it ought never to be applied for such a length of time as prisoners in the penitentiary-house are generally confined.

Are you aware that the governor has been in the habit, for the last seventeen or eighteen years, of leaving persons who have been sent there for a month, in perfect solitude without any occupation?—I understand that the governor has suffered prisoners to remain in solitude, without employment, when confined for short terms,

as in houses of correction. I may presume, that even this solitude has been relieved by congregating them with their fellow-prisoners at the morning chapel, and on their evening parade: this practice, although it may be usefully applied in special cases, I am not at present disposed to admit into the general rules of discipline.

For what time do you think it might be allowed?—The effect of solitude depends on the character of the patient; but generally I should say, not more than a month, without some occupation of mind or body. I beg to add, that the employment of the prisoners has principally been on manufactures on account of the county, by purchasing the raw material and abiding by the risk of sale of the manufactured goods. The late improvements in machinery have so diminished, or rather so annihilated the objects of work by hand, that the power of supporting a system of hard labour in prison to be productive of emolument, is entirely out of the question. The principle, therefore, of this part of our discipline is, rather to give employment than to punish by hard labour, as intended by former laws; by preventing solitude from pressing too severely on the mind; by accustoming prisoners to find relief and gratification in employment; and thus to dispose them to habits of industry; and finally, by providing a variety of useful trades and adapting them to the respective dispositions of prisoners, to enable them to maintain themselves on their return to society; for these several purposes the employment of pri-

soners in a penitentiary is essential, but subservient to the great purpose of reformation by seclusion.

What share of the earnings are the prisoners allowed?—They are not allowed any money-share of earnings in the penitentiary-house; the prisoners are furnished by the public with every thing conducive to their health, both as to food and clothing: the use of other extraneous supply is forbidden by the law, and would, in my opinion, be injurious in practice.

Do you think that some share of the profits would not operate as an encouragement to work?—It has not appeared that a disposition to work in this penitentiary has required any encouragement: it is a prison of punishment for great offences; and I think, that having provided for the offenders confined in it a supply far beyond the necessary, and even to comfort, in food, raiment, bedding and fire, it is no more than a bare justice to the public that the amount of their earnings should be carried to the account of their maintenance.

Have you had an opportunity during the time you have mentioned, to observe the effect produced by this mode of punishment?—Although I have to acknowledge, in common with other theorists, that on the whole design I have imagined more than has been, or perhaps could be, brought into practice and effect; yet not so with regard to our penitentiary-house; that prison succeeded in its early effects beyond the theory imagined by the original projectors of the system; far indeed beyond my most sanguine

guine hopes. It is within my own personal knowledge that many returned from this prison to obtain a livelihood by honest industry.

Have you observed the effect of this system on the prisoners during the time they are confined?—During the first seventeen years that I particularly attended to the effects of this prison, I ever found its inhabitants orderly, obedient to the discipline, and resigned to their situation.

Have you observed any change in their moral character?—I have reason to think that their moral character was, in general, greatly improved by the discipline of this prison; few, if any of them, returned to a second punishment during that period of my attention.

REPORT FROM SELECT COMMITTEE ON ACTS RESPECTING INSOLVENT DEBTORS.

The Select Committee appointed to take into consideration the state of the Law respecting the Discharge of Insolvent Debtors, and the several Acts passed in the 53rd, 54th, and 56th years of the reign of his present Majesty, relative to the same, and the effects produced thereby; and to report to the House their Observations thereupon, and the best means of rendering the same effectual;—

Have proceeded to take the said acts, and the petitions which have been referred to them, into their consideration; and for this purpose have examined several

witnesses, and called for various documents.

As the result of this inquiry, they feel themselves called upon, in the first place, to express their most decided approbation of the principle, on which they conceive the laws for the relief of insolvent debtors were founded. This principle is, that a debtor ought to be released from custody on making a *bonâ fide* division of all his property amongst his creditors, except in cases where the conduct of the debtor appears to have been fraudulent. But it must be observed, that though this principle appears to be entirely unobjectionable, yet the provisions of the law are so defective, and the practice of the Insolvent debtor's court has been such, that in its practical operation it has hitherto been productive of considerable injustice and inconvenience, and the committee are not at all surprised at the number of petitions against the renewal of the existing acts, which have been presented to the House. In order to secure the just interests of the creditor under a law of this nature, it is absolutely necessary that the whole of the property of the debtor should be fairly and fully stated, in order that it may actually be delivered over and divided amongst the creditors; but, under the present acts, no effectual examination into the truth of the debtor's statement of his property takes place previous to his discharge.

From the nature of the case, this must be an examination into matters of account; and when the House considers that it is in evidence,

dence, that from three to four thousand cases pass through the court in the course of a year, and that under any circumstances matters of account must be very imperfectly inquired into in open court, they will be satisfied that an examination before the commissioner in the Insolvent debtors court, the only one provided for by the present law, must be in the highest degree ineffectual. Another defect in the law, which appears to have a general influence in exposing the creditors to fraud and injustice, is, that, as the law at present stands, the debtor has no interest that his creditors should receive as large a dividend of his property as it is in his power to give them; because, whether they have a large dividend, or whether they have a small one; whether they are satisfied with his conduct, or whether they are dissatisfied, the term of his imprisonment remains the same; and when once he has received his discharge from the court, his person is equally free.

Another great opportunity for committing frauds is afforded to the insolvent from the act having provided, that he should not make the statement of his property, and deliver it over for the benefit of his creditors, till the period of his actual liberation; that is to say, till he shall think fit to apply to the court after three months imprisonment; thereby giving him the whole of this interval, either fraudulently to convey the remainder of his property away, or profusely to squander it on himself. It is to be observed, however, that, previous to the passing of these acts, creditors were liable to considerable injustice from

debtors who had sufficient property to pay their debts, but chose to remain in custody, and to set their creditors at defiance.

The provisions of the existing law, for the purpose of rendering any property which the insolvent may acquire after his discharge, liable to the debts which he had contracted previously, appear to be so easily evaded, that they can only be put in force when the insolvent himself is willing to comply with them. For, from the circumstance of the debts contracted before his discharge having no precedence with respect to liquidation over those contracted after it, it is always in the power of the debtor to frustrate the provisions of the law by a collusive claim of some subsequent creditor.

Besides these principal objections to the acts, which the committee have stated, there are other smaller defects in the constitution of the Insolvent debtors court, in consequence of which, it does not appear to possess all the powers necessary to the performance of its functions. The committee will endeavour to obviate these as well as the greater ones, which have been already mentioned, in the remedy they will have the honour to recommend to the House.

But before recommending any remedy, it will be necessary to call the attention of the House to the evils which have arisen, not so much from the provisions of the law itself, as from the mode in which it has been carried into practice. It has been already observed, that an inquiry into any matter of account, in an open court, must necessarily be

PARLIAMENTARY REPORTS. 387

inefficient; but this inefficiency must be increased to a degree, unless every facility be given to the creditors to carry on such a manner as appears most likely to lead to a satisfactory result. In order to this examination as respects the nature of the case admit of, the seventh section of the act of the 53rd, of the king, provides, that when the petition is brought up into court, it shall be examined touching the matter contained in the petition and schedule, "any creditors of such prisoner, any of the persons named or described in such schedule as may be creditors of any prisoner, and any person or persons not named or described in such schedule, who shall claim to be creditors of such prisoner, shall be at liberty to oppose such petition; and for the purpose to put such questions to the prisoner as the said court shall think fit, touching the matters contained in such petition and schedule, and touching such matters as the said court shall be of opinion it may be fit to put, for the due execution of this act." But by a provision of the Insolvent debtors act made with the best consideration, no doubt, no creditor is allowed to oppose the petition of an insolvent, unless he has given two days notice, notwithstanding such being his intention, to state the particular grounds on which such opposition is to be made; and this rule has, generally, been interpreted so strictly, that, if any new matter has

arisen during the course of the examination, the opposing creditors have not been allowed to take advantage thereof.

It is further to be observed, that, as the persons, who are suitors in the Insolvent debtors court, are on one side, at least, always in the lowest state of distress, and that ultimately the expenses of both parties must be drawn from the pockets of the creditors, every proceeding ought, peculiarly in this court, to be attended with as little expense to the parties as possible. With this view, in all the cases where the legislature appear to have contemplated the possibility of the imposition even of stamp duties, they have provided, in the act of the 53rd of the king, that none shall be imposed. This provision has not been quite effectual, because, in the practice of the court, other cases have arisen, where stamps must be affixed, and which were not specially provided for by the act.

But the increase of expense to the suitors in this court, which has arisen from this defect in the act, has been trifling, when compared with that which has been incurred in consequence of the establishment of a system of fees by the present commissioner, a considerable share of which he has appropriated to himself. For it appears by the accounts presented, that the nett balances of the money paid into the hands of the receiver of the Insolvent debtors court, during the year 1817, amounted to 6,003*l.* 1*s.* 11½*d.* and during the year 1818, to 5,261*l.* 17*s.* 10*d.*, while, during the same years, the aggregate amount

amount of the fees paid by suitors in this court amounted, for the former year, to 1,420*l.* 11*s.* 5*d.*, and for the latter year to 1,545*l.* 13*s.*, being rather more than one quarter of the whole amount of the nett balances in the hands of the receiver. The commissioner did not state any particular inconvenience to have occurred during the time of his predecessor, from such fees not having been established; but assigned, as his reason for originating them, that he considered the salary of the chief clerk inadequate to the duties of his office. He acknowledged that he had not made any representation to the Treasury, as to the inadequacy of this or any other of the

salaries, previous to the establishment of the fees; and that the reason why he thought it desirable that he himself should take a portion of the fees was, "that, when called upon for the purpose, he might know, and be enabled to state, and that correctly, the full amount of fees taken, as allowed by himself." That the validity of these reasons may be duly estimated by the House, the committee beg leave to submit the amount of the salaries, as established by the lords of the treasury, for the remuneration of the different officers of the court, and a table of the fees which are established, together with the mode in which they are divided.

SALARIES.

	Per Annum.
To the Commissioner	£. 2,000 0 0
Chief Clerk	400 0 0
Assistant Clerk	200 0 0
Provisional Assignee	100 0 0
Third Clerk	130 0 0
Fourth Clerk	100 0 0
Fifth Clerk	80 0 0

FEES.

				DIVISION.					
	£.	s.	d.	Commisr.			Chief Clerk.		
For the discharge of every insolvent -	0	5	0	0	2	6	0	2	6
every subpoena.....	0	2	6	0	1	6	0	1	0
every rule of court	0	2	0	0	1	0	0	1	0
filing every special affidavit	0	1	0	.....			0	1	0
swearing affidavits in court.....	0	1	0	0	0	6	0	0	6
every order upon summons	0	1	0	.....			0	1	0
every search	0	1	0	.....			0	1	0
every certificate of prisoner's discharge	0	1	0	.....			0	1	0
every copy of the schedule of the insolvent (per sheet)	0	0	4	moiety.			moiety.		

The

The expenses have been much increased also by unnecessarily multiplying affidavits. According to the 2nd section of the act 33rd of the king, if the creditors are numerous, or live at considerable distances from one another, it is lawful for the debtor, instead of serving them personally, to give notice in the Gazette of his intention to take the benefit of the act. By a rule, however, of the Insolvent debtor's court, the insolvent is required to prove that his creditors are thus numerous, or that they live at such considerable distances from one another, by an affidavit made by him in prison; and the court has appointed an officer to take these affidavits, who receives 7s. 8d. for each; and there is besides a stamp duty of 2s. 6d. imposed upon them.

By the 54th of the king, cap. 23, the office of a receiver was established in this court, and the mode in which this officer has been paid, viz. by an allowance of five per cent on all monies passing through his hands, has had a further effect in increasing the expenses of the parties.

The committee cannot conclude their statement of the objections to the proceedings of this court, which have occurred to them, without noticing the appointment of persons to act as agents before this court who are not regularly admitted attornies; at present there are one hundred and twenty, on the appointment of each of whom a fee of one pound nine shillings is exacted, one pound of which is paid to the commissioner, and the remainder to the chief clerk.

In order to remedy these inconveniences, and yet to preserve the principle of the laws, which was stated in the beginning of this report, the committee beg leave to recommend to the House, that the acts which were referred for their consideration should be allowed to expire; and that a new act, for a limited time, should be substituted, in which provision should be made for a more accurate examination into the accounts of the debtor and the claims of his creditors, by the appointment of three commissioners instead of one; that the examination should in the first instance take place out of court, under the direction of one of the three commissioners, preparatory to the final examination of the insolvent before the three commissioners in the Insolvent debtors court; the act should further provide, that when an insolvent makes his option to take the benefit of this act, he should be compelled to deliver all his property into the hands of an assignee, within a much shorter period than the present law obliges; and that in case of his neglecting to make this option, it should be lawful for his creditors, if they think fit, to compel him to deliver up his property to be divided amongst them according to the provisions of this act; that it should enact, that all the creditors should be empowered to oppose the discharge of the insolvent, on whatever grounds they may think proper; that all fees and stamps should be abolished in this court; that more effectual provision should be made to render any property which the insolvent may acquire after

after his discharge liable to the debts which he had previously contracted; and lastly, that none but regularly admitted attornies should practise as agents in the court; and where doubts have arisen as to whether the court possesses the powers necessary to the performance of its functions, adequate powers should be given to it.

It remains now only to be considered how this measure may be made applicable to the country. For this purpose it should be provided, that the same examination should take place out of court, previous to the insolvent being brought before the court of quarter sessions, that may be enacted for the proceedings in the metropolis; such examination might be made either before one of the magistrates, or a commissioner appointed for this purpose. It has also appeared to the committee, that great injustice arises where a debtor is arrested in the country, from his having the power of removing himself to London, which must frequently, of course, be at a considerable distance from the residence of his creditors; in order to remedy this evil, it should be provided, that such removal should not be allowed, unless on application from the creditors. In every other respect the proceedings before the court of quarter sessions may be assimilated to those before the Insolvent debtors court.

If the House shall think proper to adopt these suggestions, the committee hope that the principle of the law will be carried into effect, in such a manner as to obviate inconvenience, and be pro-

ductive of considerable advantage both to debtor and creditor.

Having made all the observations which they think necessary upon the subject referred to their consideration, the committee will here conclude; but they hope they may be permitted to call the attention of the House to the evidence of Mr. Nixon, warden of the Fleet-prison, in which he describes the riot and confusion which prevail in that establishment: and they beg to submit to the serious consideration of the House, whether it is not necessary that some steps should be taken for the regulation of debtors' prisons; and especially, if possible, to abolish the privilege of the rules of the Fleet and of the King's-bench.

Mr. N. Nixon, deputy-warden of the Fleet, examined.

Do you believe that this act operates as a great inducement to fraud and perjury?—That can only be matter of opinion in me; I should think it certainly does; and I question, if any one man has ever taken the benefit of this act conscientiously.

Have you seen frequent instances of persons who have taken the benefit of the act, who afterwards have made a good and gentleman-like appearance?—That is just as they can obtain credit, perhaps. I have known a gentleman discharged under an insolvent act, who has come down Fleet-market the next day, with a groom behind him, on two horses worth from 150 to 200 guineas.

They live luxuriously sometimes in prison?—Yes.

Taking

PARLIAMENTARY REPORTS. 391

king wine?—Yes.

Sometimes you have known
send for ice to cool their
?—I have.

Is the passing this act?—

Are there a great many in the
now?—Seventy-four.

Have they been there some
considerable time?—Several of
have.

Would they are not inclined to
the benefit of the Insolvent
Act?—Not that I know

How many of them live expensively?
—

Are expensive lodgings?—Yes.
Are some of the houses on Lud-
hill?—Yes.

Do you happen to know what
lodgings are let at, any of
?—I suppose three or four
as a week.

Under this act, the creditors,
ever inclined to take a com-
mission, have no means of com-
ing them to give up their
property?—No.

When they prefer living there
saying their creditors?—If
have the means they will not
; and certainly prefer it.

Are there any of those now
could get their discharge if
chase?—I do not know.

As stated in your evidence in
year 1792, that however se-
the punishment of a prison
to some persons, it was no
ishment at all to others; is
your opinion still?—Yes;
evidence is correct from my
observation.

Does it appear from the same evi-
e, that you stated that there
eighty prisoners in the rules
of the Fleet, fifty-eight of whom

were supersedable, and might get
discharged if they would?—I dare
say that was correct at the time I
stated it.

Then they would not go out of
the prison?—No.

Has any prisoner in the prison
a power of sending for any article
he pleases?—Unquestionably.

He may live in any way he
pleases, without any control on
your part?—I have nothing to do
with it.

May he drink and riot through
the night?—He frequently does.

Has no person a power to con-
trol that riot and noise?—I have
power to control it in the morn-
ing; because if complaint is made
to me of it, I can send him to the
strong-room in the morning.

Cannot you send in the night
and take him to the strong room?
—No; the gates are shut up, and
the turnkeys are all in bed.

You say drunken prisoners dis-
turb the more prudent ones?—
Frequently.

Cannot you send and take that
man and put him into confine-
ment?—It is in the dead of the
night, and I have no officer at
leisure to do such a thing; we
never interfere in that respect.

How are your officers occupied
in the dead of the night?—They
go to bed and sleep and rest
themselves.

The committee understand you
have the management of this pri-
son?—Yes.

You complain of riot and
drunkenness?—Yes.

You say you have power to
suppress it?—When it is com-
plained of in the morning.

When you hear riot and dran-
kenness in the prison, have not
you

you the power to suppress it?—
I have never interfered in that
respect in the dead of the night.

Why have you not interfered?
—For fear of getting my head
broke. When people are drunk,
any person going to put them to
rights, most likely, would have
his head broke; a drunken man
does not care much whose head
he breaks; and in the dead of the
night I could not open my gates
to go in; it would be attended
with a considerable degree of
danger to open the gates to go in
in the dead of the night.

You say the prisoners can send
for any thing they want out of
the prison, so that they have
money to pay for it?—Yes.

Do you suffer any persons that
please, to visit them within the
prison?—Yes, in the day-time.

Are they suffered to remain
during the night within the pris-
on?—Yes.

If a prisoner has acquired a
room in the prison, and any fe-
male visits him, is she permitted
to remain there during the night?
—Yes.

And he may have any thing to
eat or drink in the prison he
pleases?—Yes.

In fact, he is as much his own
master as a man is in his house,
if he has money?—Yes, if he has
money.

He is only confined to his
room?—No; he may walk about
the prison.

May as many prisoners meet
as please, in one room?—They
may meet together in any one
room, but they cannot eat and
drink in that room without leave
of the warden, that is by a rule
of court.

And if that leave is
there any fee payable up
No; no fee whatever.

If a person has acquire
to himself, and has a frie
to see him, they cannot
gether in that room with
mission of the warden?—
never interfere in any
that sort; I speak of
making his room a public

Supposing two pers
known to each other, can
dine together in one
rooms without your leave
questionably; it is onl
they make the room
room.

What do you mean by
room?—That is a room
frequented by many of
soners, where they eat

You state, that you
think it safe to interpo
night, notwithstanding
you have heard in you
should you think it rig
terpose if those riots hap
the day?—If there is
hence attempted from o
ther, I generally do inte
the day-time, to prev
chief.

Should persons riot in
you describe in the day
you not think it your du
terpose?—Certainly I d
day-time.

You stated in 1816 t
rioted and revelled night
to the disturbance of
part of the prison?—I
drink and get drunk be
and day, but perhaps ne
do any mischief, the
may disturb the other p
prison.

THE
NANCE ACCOUNTS
OF
THE UNITED KINGDOM
OF
EAT BRITAIN AND IRELAND,
FOR THE YEAR ENDED FIFTH JANUARY,
1819.

	<i>Class.</i>
BLIC INCOME.	V. PUBLIC EXPENDITURE.
NSOLIDATED FUND.	VI. PUBLIC FUNDED DEBT.
REARS AND BALANCES.	VII. UNFUNDED DEBT.
ADE AND NAVIGATION.	VIII. DISPOSITION OF GRANTS.

you the power to suppress it?—
I have never interfered in that respect in the dead of the night.

Why have you not interfered?
—For fear of getting my head broke. When people are drunk, any person going to put them to rights, most likely, would have his head broke; a drunken man does not care much whose head he breaks; and in the dead of the night I could not open my gates to go in; it would be attended with a considerable degree of danger to open the gates to go in in the dead of the night.

You say the prisoners can send for any thing they want out of the prison, so that they have money to pay for it?—Yes.

Do you suffer any persons that please, to visit them within the prison?—Yes, in the day-time.

Are they suffered to remain during the night within the prison?—Yes.

If a prisoner has acquired a room in the prison, and any female visits him, is she permitted to remain there during the night?—Yes.

And he may have any thing to eat or drink in the prison he pleases?—Yes.

In fact, he is as much his own master as a man is in his house, if he has money?—Yes, if he has money.

He is only confined to his room?—No; he may walk about the prison.

May as many prisoners meet as please, in one room?—They may meet together in any one room, but they cannot eat and drink in that room without leave of the warden, that is by a rule of court.

And if that leave is given, is there any fee payable upon it?—No; no fee whatever.

If a person has acquired a room to himself, and has a friend come to see him, they cannot dine together in that room without permission of the warden?—Yes; I never interfere in any thing of that sort; I speak of a person making his room a public room.

Supposing two persons are known to each other, cannot they dine together in one of their rooms without your leave?—Unquestionably; it is only where they make the room a public room.

What do you mean by a public room?—That is a room that is frequented by many of the prisoners, where they eat and drink.

You state, that you do not think it safe to interpose in the night, notwithstanding the riots you have heard in your prison; should you think it right to interpose if those riots happened in the day?—If there is any violence attempted from one to another, I generally do interpose, in the day-time, to prevent mischief.

Should persons riot in the way you describe in the day, should you not think it your duty to interpose?—Certainly I do, in the day-time.

You stated in 1816 that they rioted and revelled night and day, to the disturbance of the quiet part of the prison?—They will drink and get drunk both night and day, but perhaps not so as to do any mischief, though they may disturb the other part of the prison.

THE

FINANCE ACCOUNTS

OF

THE UNITED KINGDOM

OF

GREAT BRITAIN AND IRELAND,

FOR THE YEAR ENDED FIFTH JANUARY,

1819.

Class.

- I. PUBLIC INCOME.**
- II. CONSOLIDATED FUND.**
- III. ARREARS AND BALANCES.**
- IV. TRADE AND NAVIGATION.**

Class.

- V. PUBLIC EXPENDITURE.**
- VI. PUBLIC FUNDED DEBT.**
- VII. UNFUNDED DEBT.**
- VIII. DISPOSITION OF GRANTS.**

I.—PUBLIC INCOME OF THE UNITED KINGDOM,

FOR THE YEAR ENDED THE FIFTH OF JANUARY, 1819.

An Account of the Ordinary Revenues and Extraordinary Resources, constituting the Public Income of the United Kingdom of Great Britain and Ireland.

HEADS OF REVENUE.	GROSS RECEIPTS: Total sum to be accounted for.			Deductions, Disbursements, Charges of Management, &c. paid out of the Gross Revenues.			Payments out of the NETT PRODUCE.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Ordinary Revenues.									
CUSTOMS	16,781,503	5	5	3,983,693	0	94	12,797,810	5	94
EXCISE	28,848,714	9	64	3,958,040	5	94	25,580,673	17	4
STAMPS	7,569,864	6	0	487,778	19	04	7,149,091	6	114
LAND AND ASSESSED TAXES	8,688,918	14	54	975,093	4	34	8,515,826	10	9
POST OFFICE	2,373,265	11	64	705,983	6	74	1,667,343	4	114
PENSIONS AND { SALARIES { { 64 in the £. { 64 in the £.	23,815	17	8	489	5	9	23,386	11	11
HACKNEY COACHES	11,213	1	9	887	11	11	10,325	9	10
HAWKERS AND PEDLARS	26,679	5	9	3,779	5	0	22,900	6	9
POUNDRAGE FEES (Ireland).....	27,788	18	44	4,160	7	7	23,628	10	94
FELLS FEES	4,100	4	104	-	-	-	4,100	4	104
CASUALTIES Do.	890	1	04	-	-	-	890	1	04
TREASURY FEES, AND HOSPITAL FEE (Do.)	3,657	8	84	-	-	-	3,657	8	84
SMALL BRANCHES OF THE KING'S HEREDITARY REVENUE.....	1,883	4	84	-	-	-	1,883	4	84
	144,579	0	6	5,697	4	84	138,921	15	94
Total of Ordinary Revenues	64,506,203	3	44	8,765,104	10	4	55,741,098	13	04

PARLIAMENTARY ACCOUNTS. 395

Extraordinary Report.

PROPERTY TAX AND INCOME DUTY. (Arrears)	638,337	14	0	80,758	8	4½	637,579	5	7½
Lottery, Net Profit	911,925	0	0	15,948	3	4	195,976	16	8
Unclaimed Dividends, &c. per Act 56 Geo. 3, c. 97	332,948	6	7	-	-	-	332,948	6	7
Surplus Fees of Regulated Public Offices	38,713	17	2½	-	-	-	38,713	17	2½
Voluntary Contributions	20,000	0	0	-	-	-	20,000	0	0
On Account of the Commissioners for issuing Exchequer Bills for Grenada, per Act 35 Geo. 3, c. 197	8,771	3	8	-	-	-	8,771	3	8
From several County Treasurers in Ireland, on Account of Advances made by the Treasury for improving Post Roads, for building Gaols, and under the Police Act of 54 Geo. 3, (Ireland)	85,439	15	8½	-	-	-	85,439	15	8½
Imprest Monies Repaid by Sundry Public Accountants, and other Monies paid to the Public	384,020	12	1½	-	-	-	384,020	12	1½
Contributions to Annuities, per Act 58 Geo. 3, c. 93	9,795,000	0	0	-	-	-	9,795,000	0	0
Contributions to Annuities towards discharging Exchequer Bills, per Act 58 Geo. 3, c. 93	8,125,000	0	0	-	-	-	8,125,000	0	0
Total Public Income of the United Kingdom	77,095,679	19	7½	8,801,111	2	0½	68,294,568	10	7½
Add, Appropriated Duties for Local Objects in Ireland	57,573	13	8½	3,487	5	1½	54,446	8	6½
GRAND TOTAL	77,153,253	6	4	8,804,598	7	2	68,348,714	19	2

II.—CONSOLIDATED FUND AND PERMANENT TAXES.—INCOME AND CHARGE, 1819.

INCOME.		CHARGE.		Actual Payment out of the Consolidated Fund in the Year ended 5th January, 1819.		Future Annual Charge upon the Consolidated Fund as it stood on 5th January, 1819.	
£.	s. d.	£.	s. d.	£.	s. d.	£.	s. d.
CUSTOMS: Consolidated, after re-serving the sum of £.105,000 per annum, to be carried to Duties pro Anno 1809, per Act 49 Geo. 3, £.3,944,775 0 6½		TOTAL CHARGE for Debt created prior to 1809		23,731,135 12 0½		23,249,353 13 11½	
Isle of Man Duties 9,556 5 9		CIVIL LIST:					
Quarantine Duty 29,723 17 7		For the Support of his Majesty's Household, per Act 17 Geo. 3 ...		898,000 0 0		898,000 0 0	
Canal and Dock Duty..... 41,283 3 1		Ditto..... 44 ditto		60,000 0 0		60,000 0 0	
Temporary or War Duty 1809, made permanent Anno 1816..... 2,614,750 11 1½		Ditto..... 52 ditto		70,000 0 0		70,000 0 0	
Do. in 1810 and 1811		COURTS OF JUSTICE, &c.					
		Judges of England and Wales, in Augmentation of their Salaries...		13,050 0 0		13,050 0 0	
		Deficiencies of Judges Salaries in England		13,402 0 10		Uncertain.	
		Additional Salaries to Welsh Judges John Baldwin, Esq. Receiver of the		3,200 0 0		3,200 0 0	

PARLIAMENTARY ACCOUNTS. 397

ing the several sums carried per Acts 52 and 55 Geo. 3, to the Duties pro Annis 1812 and 1815..... £.15,248,732 0 0		2,085 2 1½ 4,000 0 0	— 4,000 0 0
British Spirits, Anno 1806, Schedule A... 550,170 0 0		13,800 0 0 1,900 0 0	13,800 0 0 1,900 0 0
	15,798,992 0 0	1,052 14 0	Uncertain.
		650 0 0	650 0 0
		700 0 0	Uncertain.
		2,956 13 8 1,167 10 0	2,956 13 8 Uncertain.
		1,500 0 0 1,900 0 0 751 10 11	1,500 0 0 1,900 0 0 Dead.
			[This Account con- tinued over leaf.]
H. J. Hinchliffe, Esq. Vice Admiralty Judge at Jamaica Sheriffs of England and Wales			
MINT:			
Master of the Mint in England			
Ditto..... Ditto.. Scotland			
SALARIES AND ALLOWANCES:			
Speaker of the House of Commons, to complete his Salary of £.6,000 per annum			
Edward Roberts, Esq. an annual sum formerly paid to the Auditor.....			
George Pepler, Esq. Inspector of Tontine Certificates.....			
For the Encouragement of the Growth of Hemp and Flax in Scotland			
Chief Cashier of the Bank, for Fees			
COMMISSIONERS OF PUBLIC ACCOUNTS:			
W. M. Praed, Esq.			
Sir C. W. R. Broughton, Bart.			
F. P. Elliot, Esq.			
</			

398 ANNUAL REGISTER, 1819.

INCIDENTS	7,136,593 18 11	R. Dawkins, Esq.	1,200 0 0	1,200 0 0
		John Wishaw, Esq.	1,200 0 0	1,200 0 0
		John Sargent, Esq.	1,200 0 0	1,200 0 0
		John Anstey, Esq.	1,200 0 0	1,200 0 0
		Salaries, &c. in the Office of the said Commissioners	35,117 11 7	Uncertain.
COMMISSIONERS OF WEST INDIA ACCOUNTS:				
		John Halket, Esq.	1,500 0 0	1,500 0 0
		James Chapman, Esq.	1,000 0 0	1,000 0 0
		John Wilson, Esq.	1,000 0 0	1,000 0 0
		Salaries, &c. in the Office of the said Commissioners	6,762 4 0	Uncertain.
MISCELLANEOUS:				
		Interest, &c. on a moiety of 50 millions of Florins, raised by the House of Hope and Co. for the Service of Russia, per 55 Geo. 3, c. 115	133,417 6 3	Ditto.
		Deficiency of Profits to the South Sea Company, per 55 Geo. 3, c. 57	1,717 9 2	Ditto.
		Sundry Bounties on Seizures Contingencies in the Office of Commissioners for inquiring into Charitable Institutions for the Education of the Poor	25,675 16 8	Ditto.
			4,000 0 0	Ditto.
PENSIONS:				
		Usual of Chesham	4,000 0 0	4,000 0 0
Pensions, Offices, and Personal Estates, 1814, 1815, 1816, and 1817	25,899 12 5			
Surplus Duty on Sugar, Malt, and Tobacco, annually granted	1,340,473 0 10½			
Annual Malt, &c. Anno 1816 and 1817	536,451 0 0			

PARLIAMENTARY ACCOUNTS. 399

Income Duty, Anno 1801	30 0 0
Unappropriated War Duties	6,639 16 0½
Money reserved on account of No- minces appointed by the Lords of the Treasury, in Tontine, Anno 1789.....	23,456 3 7½
[This Account con- tinued over leaf.]	

Amount of Duty on Property, after
deducting £. 20/10/0, per Annu
1810

78,473 11 64

Amount paid by diverse Persons

339,364 10 6

Total Income of India, &c., appli-
cable to paying the Charges prior
to the Year 1819, and the Inter-
medial Charges as they stood in
the 31st January 1819

37,200,000 11 11 1/2

400 ANNUAL REGISTER, 1819.

Wm. Turrel	1,000	0	0	1,000	0	0
Lady Nelson	2,000	0	0	2,000	0	0
Sir Richard Stanhan	1,000	0	0	1,000	0	0
Lady Collingwood	1,000	0	0	1,000	0	0
Hon. Sarah Dill	500	0	0	500	0	0
Hon. Mary Patience Dill	500	0	0	500	0	0
Duke of Clarence	6,000	0	0	6,000	0	0
- Kent	6,000	0	0	6,000	0	0
- Cumberland	6,000	0	0	6,000	0	0
- Sussex	6,000	0	0	6,000	0	0
- Cambridge	6,000	0	0	6,000	0	0
- Gloucester	14,000	0	0	14,000	0	0
Princess Sophia of Gloucester	7,000	0	0	7,000	0	0
Earl Nelson	5,000	0	0	5,000	0	0
Lord Rodney	928	1	6	928	1	6
Viscount Lake	2,000	0	0	2,000	0	0
Viscount Wellington	2,000	0	0	2,000	0	0
Earl of Dill	2,000	0	0	2,000	0	0
Hon. Jane Foyers	2,000	0	0	2,000	0	0
Princess Augusta Sophia, Eliza- beth, Mary, and Sophia, on £. 9,000 per annum, each	36,000	0	0	36,000	0	0
Sir Arch. Macdonald	800	0	0	800	0	0
Sir Henry Ellis	144	16	6 1/2	144	16	6 1/2
Sir James Mackenzie	800	0	0	800	0	0
Sir William Grant	811	0	10 1/2	811	0	10 1/2
Sir Alan Chambers	600	0	0	600	0	0
Princess of Wales	35,000	0	0	35,000	0	0
Duke of Wellington	15,000	0	0	15,000	0	0
Lord Berkeley	2,000	0	0	2,000	0	0
- Cornwall	2,000	0	0	2,000	0	0
- Devon	2,000	0	0	2,000	0	0
- Wilt	2,000	0	0	2,000	0	0
- Hampshire	2,000	0	0	2,000	0	0
- Leinster	2,000	0	0	2,000	0	0

III.

ARREARS AND BALANCES OF PUBLIC ACCOUNTANTS.

HEADS OF THESE ACCOUNTS.

CUSTOMS in England; Balances and Arrears, the 5th of January, 1819.—**CUSTOMS** in Scotland; Current Balances, Ditto.—**CUSTOMS** in Ireland; Balances, Ditto.

Excise in England; Arrears and Current Balances, due on the 5th January, 1819.—**Excise** in Scotland; Ditto.—**Excise** in Ireland; Balances of deceased and dismissed Collectors, Ditto.

STAMPS in Great Britain;—Arrears due on 5th January, 1819, from Distributors.—**Nett Balances** in the hands of Distributors.—**STAMPS** in Ireland; Balances and Arrears on 5th January, 1819.

LAND AND ASSESSED TAXES in Great Britain;—Arrears and Current Balances, 5th January, 1819.

Ditto in Ireland;—Balances of deceased and dismissed Collectors.
Ditto;—Balance due by a dismissed Revenue Collector, 5th January, 1819.

POST OFFICE in Great Britain;—Arrears due on 5th January, 1819.

Ditto;—Balances of Deputy Postmasters,

in Ireland;—Arrears due on the 5th January, 1819.

Ditto;—Balances of Deputy Postmasters.

Ditto;—Arrears of Letter Carriers, on 5th January, 1819.

Ditto;—Insolvent Arrears.

Ditto;—Balances of Deputy Postmaster, &c.

LAND REVENUES OF THE CROWN in England and Wales;—Arrears and Current Balances, 5th January, 1819.

PUBLIC ACCOUNTANTS; List of, in respect of whom the Execution of any Process or Proceeding hath been controlled, suspended, or procured, between 5th January, 1818, and 5th January, 1819.

ARMY ACCOUNTS;—Balances of Accountants, on 5th January, 1819.

COMMISSIONERS for auditing Public Accounts;—List of Officers and Departments, whose Accounts have been usually audited by them.

Ditto List of Accounts delivered over to them, which have not been audited, stated, or declared; completed to 5th Jan., 1819.

Ditto delivered over to them, which have been either stated or declared, so far as any Balances appear to be now owing to or from the Public; completed to 5th January, 1819.

TRADE AND NAVIGATION OF THE UNITED KINGDOM.

1.—TRADE OF GREAT BRITAIN.

An Account of the Value of all Imports into, and of all Exports from, GREAT BRITAIN, during each of the Three Years ending the 5th of January, 1819 (calculated at the Official Rates of Valuation, and stated inclusive and exclusive of the Trade with Ireland); distinguishing the Amount of the Produce and Manufactures of the United Kingdom Exported, from the Value of Foreign and Colonial Merchandise Exported:—also, stating the Amount of the Produce and Manufactures of the United Kingdom Exported from GREAT BRITAIN, according to the Real and Declared Value thereof.

YEARS.	OFFICIAL VALUE OF IMPORTS INTO GREAT BRITAIN.			OFFICIAL VALUE OF EXPORTS.						DECLARED VALUE OF THE PRODUCE AND MANUFACTURES OF THE UNITED KINGDOM EXPORTED.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
1817.....	30,105,566	1	9	36,697,610	5	8	14,545,964	2	3	51,243,574	7	11
1818.....	33,965,238	6	0	41,588,585	11	11	11,534,616	12	11	53,123,202	4	10
1819.....	40,157,634	9	6	44,564,044	14	10	12,287,274	15	0	56,851,319	9	10
1817.....	36,374,991	5	8	34,774,320	11	2	13,441,664	11	9	48,216,185	2	11
1818.....	29,910,509	9	8	39,235,466	19	10	10,269,271	8	9	49,502,738	8	7
1819.....	35,867,081	9	3	41,963,327	0	9	10,835,800	6	4	56,799,927	7	1
										40,398,939	13	10
										40,349,235	6	11
										45,168,249	9	0

2.—TRADE OF IRELAND.

all Imports into, and all Exports from, IRELAND, during each of the Three Years of Valuation, and stated inclusive and exclusive of the Trade with GREAT MANUFACTURES of the United Kingdom Exported, from the Value of Foreign and amount of the Produce and Manufactures of the United Kingdom Exported and at the Average Prices Current.

TABLE

British Empire, in the Years ending the 5th January 1817, 1818, and 1819, respectively.

	In the Years ending the 5th January.					
	1817.			1818.		
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
United Kingdom.....	851	84,676	758	81,263	752	86,738
Isles, Guernsey, Jersey, and Man.....	15	443	8	845	9	316
British Plantations	408	32,282	316	22,321	167	10,441
TOTAL.....	1,274	117,401	1,082	104,429	928	97,505

An Account of the Number of Vessels, with the Amount of their Tonnage, and the Number of Men and Boys usually employed in navigating the same, that belonged to the several Ports of the British Empire, on the 30th September in the Years 1816, 1817, and 1818, respectively.

	On 30th Sept. 1816.				On 30th Sept. 1817.				On 30th Sept. 1818.			
	Vessels.		Tonn.		Vessels.		Tonn.		Vessels.		Tonn.	
				Men.				Men.				Men.
United Kingdom	21,515	2,479,733	158,516	152,352	21,290	2,397,665	152,352	154,893	21,526	2,426,969	154,893	154,893
Isles, Guernsey, Jersey, and Man	511	24,564	3,445	3,190	485	23,689	3,190	3,595	498	25,639	3,595	3,595
British Plantations	3,775	279,643	16,859	15,471	3,571	243,632	15,471	15,121	3,483	231,860	15,121	15,121
TOTAL.....	25,801	2,783,940	178,820	171,013	25,346	2,664,986	171,013	173,609	25,507	2,674,468	173,609	173,609

NAVIGATION OF THE UNITED KINGDOM,--*continued.*

VESSELS, with the Amount of their TONNAGE, and the Number of Men and Boys employed Voyages), that entered INWARDS, and cleared OUTWARDS, at the several Ports of the World (exclusive of the intercourse between GREAT BRITAIN and IRELAND respectively) in the year 1819.

408 ANNUAL REGISTER, 1819.

VIII. The Ordnance	£.	s.	d.	£.	s.	d.
						1,407,807 11 0½
IX. The Army, viz.						
Ordinary Services	7,255,646	2	9½			
Extraordinary Services, including Remittances and Advances to other Countries	1,261,604	1	3½	8,517,250	4	1
Deduct the Amount of Remittances and Advances to other Countries, included in Appendix I.				206	1	0½
						8,517,044 3 0½
X. Loans, Remittances and Advances to other Countries, viz.						
Morocco, and the Native Chiefs on the Coast of Africa				149	5	0
Holland				56	16	0½
						206 1 0½
XI. Issues from Appropriated Funds, for Local Purposes						60,078 13 6
XII. Miscellaneous Services, viz.						
At Home				1,792,956	3	4½
Abroad				897,935	0	0
						2,690,891 3 4½
Deduct Sinking Fund on Loan to the East India Company						68,966,073 3 1
						144,636 1 1
						268,821,457 2 0

* This includes the Sum of £. 495,609 5s. 10d. for Interest, Management, and Sinking Fund, on Imperial Loan, and £. 37,025 Os. 7½d. Portuguese Loan.

VI.—PUBLIC FUNDED DEBT.

An Account of the FUNDED DEBT of GREAT BRITAIN, as the same stood on January 5th, 1819.

	£.	s.	d.
At 3 per Cent			
Bank of England and Annuities, 1726.....	14,686,800	0	0
South Sea Old and New Annuities, 1751	21,037,684	13	11½
Consolidated Annuities.....	404,869,786	10	8½
Reduced Annuities	193,208,389	9	11
At 3½ per Cent.....	42,009,848	2	3
Consolidated 4 per Cent	75,725,503	14	6
Consolidated Annuities at 5 per Cent.....	147,652,151	10	0½
	899,190,164	1	4½
Deduct in the Names of Commissioners of the National Debt; for the Purchase of Life Annuities	102,804,384	12	0
	796,385,779	9	4½
Annual Interest	27,851,998	15	4½
Annuities for Lives or for Terms of Years	1,699,175	15	9½
Charges of Management	279,888	8	3
Annual or other Sums by sundry Acts	15,690,503	17	5½
Total of Annual Expense	45,450,866	16	10½

REDEMPTION OF THE PUBLIC FUNDED DEBT.

An Account of the Progress made in the Redemption of the Public Funded Debt of the United Kingdom, payable in Great Britain, at the 5th January, 1819.

FUNDS.	CAPITALS.			Long Annuities at the Bank of England.			Transferred to, or redeemed by the Commissioners, from 1st August, 1795, to 5th Jan., 1819.			TOTAL SUMS paid.			Average Price of Stocks.
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	
Consolidated £. 3 per Cent Annuities	490,008,119	7	10½	-	-	-	108,951,837	0	0	70,034,782	5	10	64½
Reduced	363,097,452	0	1	-	-	-	215,020,811	0	0	135,878,652	17	4	63½
£. 3½ per Cent Annuities	25,356,573	12	3	-	-	-	1,908,400	0	0	1,663,323	5	0	87½
Old South Sea ... Do.	24,065,084	13	11½	{			6,498,500	0	0	4,454,859	2	0	68½
New ... Do.				{			4,910,500	0	0	3,409,037	11	9	69½
£. 3 per Cent ... Do., Anno 1751.				{			1,105,000	0	0	777,348	0	0	70½
Consolidated £. 4 per Cent Annuities	1,916,600	0	0	-	-	-	7,796,400	0	0	6,586,934	8	9	84½
Do. £. 5 ... Do. Do.	82,732,119	9	2	-	-	-	145,500	0	0	130,113	7	6	89½
£. 5 per Cent Annuities, Annis 1797 and 1802 .	1,091,968	12	4	-	-	-	-	-	-	-	-	-	-
£. 3 per Cent ... Do. Anno 1726 .	1,000,000	0	0	-	-	-	-	-	-	-	-	-	-
Do. Bank Annuities	14,686,800	0	0	-	-	-	-	-	-	-	-	-	-
Consolidated Long ... Do.	1,776,900	0	0	1,359,435	18	8½	180,396	9	4	155,334	10	3	86½
£. 5 per Cent Annuities, formerly paid by Ireland				-	-	-	-	-	-	-	-	-	-
Capitals transferred to the Commissioners, the				-	-	-	-	-	-	-	-	-	-
Dividends on which have not been claimed for				-	-	-	-	-	-	-	-	-	-
10 Years and upwards, and which are subject				-	-	-	-	-	-	-	-	-	-
to the Claims of the Parties entitled thereto. .				-	-	-	-	-	-	-	-	-	-
Transferred to Commissioners, on account of	1,140,636,674	18	9½	1,359,435	18	8½	346,515,044	9	4	223,090,303	8	3	
Land Tax Redeemed	25,503,093	1	9	-	-	-	604,345	9	10				
Transferred for Purchase of Life Annuities, per	1,115,134,581	16	5½	-	-	-	-	-	-	-	-	-	
Act 48 Geo. 3	4,895,146	0	0	6,980	0	0	-	-	-	-	-	-	
	1,110,339,435	16	5½	1,353,455	18	8½	-	-	-	-	-	-	

Redeemed by the Commissioners, including Capitals, the Dividends upon which have not been claimed for 10 Years and upwards

Unredeemed Debt of the United Kingdom, payable in Great Britain, at 5th January, 1819.....

347,119,490 19 2	540 16 2
763,119,944 17 3½	1,351,915 2 6½

UMS annually applicable to the Redemption of the National Debt.

Annual Charge, per Act 26 Geo. 3
Ditto..... 42 Ditto.....
Ditto..... per Act 58 Geo. 3, c. 101 ..
Annunities for 99 and 96 Years, Expired, 1792...
Ditto ... 10 Years Anno 1787 ..
Exchequer Life Annunities Unclaimed for Three
Years, at 5th January, 1819 ..
Exchequer Life Annunities Unclaimed, of which,
Nominees shall have died prior to 5th July,
1802.....
Ann. Interest on £. 336,484,448 at £. 3 per Cent
Ditto ... on 1,908,400 at 3½ Ditto...
Ditto ... on 7,796,400 at 4 Ditto ...
Ditto ... on 145,500 at 5 Ditto ...
Ditto ... on 180,296 9 4 Irish £. 5
per Cent, payable in England 5½

£.	s.	d.
1,000,000	0	0
200,000	0	0
560,000	0	0
54,880	14	6
25,000	0	0
31,005	12	0
31,481	6	1
10,094,353	8	9½
66,794	0	0
311,856	0	0
7,275	0	0
9,014	16	5½

ANNUITIES fallen in since 32nd June, 1807,
or that will fall in hereafter.

Exchequer Annunities, 2nd and 3rd Anne;
Expired 5th April, 1803
Ditto Ditto 5th Jan. 1805
Ditto 4th Anne Ditto 5th April
Ditto 5 Ditto ... Ditto 1806
Ditto 6 Ditto ... Ditto 1807
Ditto 5th July
Bank Short Annunities Ditto 5th Jan. 1808
Ditto Long Ditto will expire Ditto 1860

£.	s.	d.
23,369	13	4
7,030	6	8
23,254	11	6
7,776	10	0
4,710	10	0
10,181	0	0
418,333	0	11
1,359,435	18	8½

By an Act of 42nd Geo. 3, c. 71, such Annunities
as fall in after the passing of that Act, are not
to be placed to the Account of the Commis-
sioners for the Reduction of the National
Debt.

[Sums applicable
to the Redemption
of the Nat. Debt
continued overleaf.]

£. 1 per Cent on part of Capitals created, from 1793 to 1815	6,640,220	3	7½
Ann. Interest on £. 4,826,594 ... £. 3 per Cents, trans. for Purchase of Life Annuities...	144,797	16	4½
Ditto on £. 13,480 ... £. 4 per Cents Ditto	539	4	0
Ditto on 55,072 ... 5 per Cents Ditto	2,753	12	0
Long Annuities transferred for Ditto	6,980	0	0
Proportion of Sinking Fund, Anno 1815, to be borne by Consolidated Fund	543,494	6	11½
Sinking Fund on Bills funded, &c.	430,924	5	2
Annual Appropriation on £. 12,000,000, part of £. 14,200,000, Loan 1807	626,255	10	5
Annual Interest on £. 179,499 17 7. ... £. 3 per Cents, unclaimed for 10 Years and upwards...	5,384	19	11
Ditto on £. 24,168 18 9 £. 4 per Cents Ditto...	966	15	1½
Ditto on 21,577 13 6 5 per Cents Ditto...	1,078	17	8
Long Annuities, Unclaimed .. Ditto ... Ditto ...	540	16	2
Annual Interest on £. 29,200 ... £. 3 per Cents, purchased with Unclaimed Dividends...	11,376	0	0
Chargeable on Sinking Fund:	20,797,153	5	3½
Life Annuities	£. 329,437	2	6
Loans and Bills, funded from 1813 to 1815 ...	7,632,969	14	9½
Part of Charge on Treasury Bills raised for Ireland, Anno 1816	9,014	16	5½
	7,971,421	13	8½
Product for Sinking Fund for said Loans and Bills ...	2,213,024	18	10½
Actual Sinking Fund of Great Britain and Ireland, funded therein, Consolidated	5,758,396	14	10½
	15,038,756	10	5½

PARLIAMENTARY ACCOUNTS. 413

FUNDS.	CAPITALS.	Long Annuities at the Bank of England.	Transferred to, or Redeemed by the Commissioners from 1st August, 1786, to 5th January, 1819.	TOTAL SUMS paid.	Average Price of Stocks.
Imperial £. 3 per Cent Annuities..... Redeemed by the Commissioners, including Capitals transferred to them, the Dividends on which have not been claimed for 10 Years and upwards	£. s. d. 7,502,633 6 8 2,176,565 3 0 5,326,068 3 8	£. s. d. 230,000 0 0 46 7 8 229,953 12 4	£. s. d. 2,176,165 0 0 400 3 0 2,176,565 3 0	£. s. d. 1,354,639 12 11	62½
Debt Unredeemed at 5th January, 1819					

SUMS Annually applicable to the Reduction of the DEBT.	ANNUITIES Fallen in since 22nd June, 1802, or that will fall in hereafter.
Imperial Annuities for 25 Years will expire 1st May, 1819.	£. 230,000 0 0

£. 1 per Cent per Annum on Capitals created by Loan, 1797.....	£. s. d.
Annual Interest on £. 2,176,165, at £. 3 per Cent.....	36,693 0 0
Ditto on £. 400 3 Unclaimed Capital, £. 3 per Cent	65,284 19 0
Ditto on Imperial Annuities for 25 Years	12 0 1
	46 7 8
	102,036 6 9

An Account of the Progress made in the Redemption of the Debt of Portugal, at 5th January, 1819.

FUNDS.	CAPITALS.	Long Annuities paid at the Bank of England.	Transferred to, or Redeemed by the Commissioners from the 1st of August, 1769, to 5th January, 1819.	TOTAL SUMS paid.	Average Price of Stocks.
Reduced £. 3 per Cent Annuities.....	£. s. d. 895,522 7 9	£. s. d. - - -	£. s. d. 538,966 0 0	£. s. d. 354,388 8 3	65½
Redeemed by the Commissioners.....	538,966 0 0				
Debt Unredeemed at 5th January, 1819	356,556 7 9				

SUMS Annually applicable to the Reduction of the DEBT.	
Annual Appropriation for Redemption of Loan, 1809	£. s. d. 30,000 0 0
Annual Interest on £. 538,966 £. 3 per Cent	16,168 19 7
	<u>46,168 19 7</u>

PARLIAMENTARY ACCOUNTS. 415

£. 3½ per Cent Debentures and Stock	18,713,303 16 2	Terminable and Life Annuities.	7,430,694 19 1	5,805,507 17 3½	78½
£. 4 per Cents	1,061,630 15 5	- - -	435,184 12 4	385,623 16 5½	88½
£. 5 per Cents, exclusive of £. 180,996 9 4 Redeemed Irish £. 5 per Cents, payable in England	18,694,399 16 5	- - - 110,525 4 11½	1,538,909 6 7½	1,382,187 1 1½	89½
Redeemed by the Commissioners	39,469,533 8 0 9,404,788 18 0½	110,525 4 11½	9,404,788 18 0½	7,573,318 14 11½	
Deduct Annuities expired	23,064,744 9 11½ - - -	66,616 6 6			
Debt Unredeemed at 5th January, 1819	23,064,744 9 11½	43,908 18 5½			

An Account of the Progress made in the Redemption of the FUNDED DEBT of IRELAND, &c.—Continued.

SUMS Annually applicable to the Reduction of the DEBT.		£.	s.	d.
Annual Charge, per Act 37 Geo. 3.....		68,445	5	7
Terminable Annuities expired.....		66,816	6	3
Part of per Centage on Loans and Outstanding Treasury Bills, at 5th January, 1819		276,403	10	5
Annual Interest on £. 7,430,694 19 1 at 3½ per Cent.....		260,074	6	5½
Ditto on £. 435,184 12 4 at 4 per Cent		17,407	7	8½
Ditto on £. 1,538,909 6 7½ at 5 per Cent		76,945	9	4
Chargeable on Sinking Fund		739,898	5	9
Interest cancelled in Ireland, towards defraying the Charge of Treasury Bills raised in 1816, &c. the remainder being cancelled in England.....	£. 159,927 6 0½			
Deduct for Sinking Fund for said Bills	28,076 18 5½			
Actual Sinking Fund of Ireland, payable in Ireland.....		131,860	7	7
		688,041	16	2

ANNUAL REGISTER, 1819.

VII.—UNFUNDED DEBT.

An Account of the Unfunded Debt and Demands Outstanding on the 5th day of January, 1819.

			AMOUNT OUTSTANDING.	
			£.	s. d.
EXCHEQUER :				
Exchequer Bills ...	{ Provided for.....		£.	s. d.
	{ Unprovided for.....		447,000	0 0
			43,808,400	0 0
AS TREASURY :				
Miscellaneous Services			768,867	11 10
Warrants for Army Services.....			151,034	1 9
Treasury Bills of Exchange drawn from Abroad			289,819	0 3
Irish Treasury Bills, Unprovided for.....			4,400,000	0 0
			5,609,190	13 10
ARMY			1,009,469	13 8½
NAVY			1,376,135	3 9½
ORDNANCE			339,864	1 8½
BARRACKS			9,106	1 3
			51,992,095	14 2½
Whitehall Treasury Chambers, } 25th March, 1819.			S. R. LUSHINGTON.	

VIII.—DISPOSITION OF GRANTS.

An Account, showing how the MONIES given for the SERVICE of the United Kingdom of GREAT BRITAIN and IRELAND, for the Year 1818, have been disposed of, and expended under their several Heads, to the 5th January, 1819.

SERVICES.

	£.
NAVY :.....	6,456,809
ORDNANCE :	1,345,600
FORCES.....	8,909,608

For carrying into execution the Treaty between his Britannic Majesty and his Catholic Majesty, signed at Madrid, the 23rd day of September, 1817 400,000

For defraying the Charge of the Civil Establishments under-mentioned; viz.

Of Sierra Leone, from the 1st day of January to the 31st day of December, 1818.....	15,45
Ditto..... Nova Scotia..... from Ditto to Ditto	13,44
Ditto..... New South Wales from Ditto to Ditto.....	12,60
Ditto..... Upper Canada..... from Ditto to Ditto.....	10,50
Ditto..... New Brunswick from Ditto to Ditto.....	6,71
Ditto..... Newfoundland..... from Ditto to Ditto.....	5,44
Ditto..... St. John (now called } Prince Edward Island) } ...from Ditto to Ditto	3,71
Ditto..... Bahama Islands, in addition to the Salaries now paid to the Public Officers out of the Duty Fund, and the Incidental Charges attending the same	3,3
Ditto..... Cape Breton..... from Ditto to Ditto.....	2,1
Ditto..... Dominica from Ditto to Ditto.....	6
Royal Military College; from the 25th December, 1817, to the 24th December, 1818, both inclusive, being 365 days.....	25,5
Royal Military Asylum at Chelsea; for the same time	32,8
Interest on Exchequer Bills, Irish Treasury Bills, and Mint Notes	2,000,0
One hundredth part of 56 Millions of Exchequer Bills, authorized, in the last Session of Parliament, to be issued and paid by equal Quarterly Payments to the Governor and Company of the Bank of England, to be by them placed to the Account of the Commissioners for the Reduction of the National Debt; for the year ending the 1st February, 1819.....	560,0
To enable his Majesty to provide for such Expenses of a Civil Nature, in Great Britain, as do not form part of the ordinary Charges of the Civil List	370,0
To defray the Expense of Law Charges; for the year 1818	25,0
Expense attending the confining, maintaining, and employing Convicts at Home; for the year 1818	69,3

PARLIAMENTARY ACCOUNTS. 419

SERVICES—continued.

	£.	s.	d.
that may be incurred for Prosecutions, &c. relating to in of this Kingdom; for the year 1818.....	6,000	0	0
for printing Acts of Parliament for the two Houses of ment, for the Sheriffs, Clerks of the Peace, and Chief rates throughout the United Kingdom, and for the Justices throughout Great Britain; also for printing reports, Evidence, and other Papers and Accounts for use of Lords; for the year 1818	17,000	0	0
good the Deficiency of the Grant of 1817, for printing copies of the 71st Volume of Journals of the House of ons	427	3	3
good Ditto for defraying the Expenses of printing Bills, s, and other Papers, by order of the House of Commons, the last Session	1,446	15	7
the Expense of printing the Votes of the House of ms, during the present Session of Parliament	2,200	0	0
good the Deficiency of the Grant of 1817, for reprint- urnals and Reports of the House of Commons	6,824	7	1½
the Expense, in the present Session, for printing 1,150 of the General Index to 16 Volumes of Journals of use of Lords, from the 20th to the 35th Volume, both re	1,969	6	3
the Amount of Bills drawn or to be drawn from New Wales; for the year 1818	80,000	0	0
off and discharge Exchequer Bills issued pursuant to the 7th and 11th years of the reign of Queen Anne, ing in the Chests of the Tellers of the Exchequer, r with the Interest due upon them outstanding and ided for	1,092	14	2½
ying the Expenses of the Gold Coinage; for the year	75,000	0	0
good the deficiency of the Vote in the year 1816, for good any deficiency or loss that might arise from the age of the Silver Coin of this Realm, and the Charges penses of melting down, casting, assaying, and recoin- same, and all other Expenses incident thereto	54,337	1	11
ying the Expense of printing Bills, Reports, and other by order of the House of Commons, during the present of Parliament	21,000	0	0
ying the Expense that may be incurred in 1818, for 1,750 Copies of the 73rd Volume of Journals of the of Commons, being for the present Session	3,500	0	0
ying the Expense that may be incurred for reprinting ls and Reports of the House of Commons, in the year	4,000	0	0
the Expense of Sundry Works proposed to be done at ad; for the year 1818	14,246	12	0
er making good the deficiencies of the Fee Funds; for the 1818	43,500	0	0
er defraying the Contingent Expenses and Messengers the Departments of the Treasury, three Secretaries of and Lord Chamberlain; for the year 1818	26,000	0	0
er defraying the Expenses of the House of Lords and ons; for the year 1818	11,500	0	0
er defraying the Salaries to the Officers, and Expenses Court, and Receipt of Exchequer; for the year 1818...	5,593	0	0

SERVICES

420 ANNUAL REGISTER, 1819.

SERVICES—continued.

	£.
For further defraying the Salaries and Allowances to the Officers of the Houses of Lords and Commons; for the year 1813 ...	23,500
Towards further defraying the Expenses of Works, and Repairs of Public Buildings; for the year 1818	37,000
For the Expense of making variations in the Road between Bangor and Chirk; for the year 1818	10,000
Towards building a Bridge over the Menai Strait, near Bangor Ferry; for the year 1818	20,000
To complete the Expense of Building the Royal Military College at Sandhurst	78,058
To make up the total Sum charged upon the Fees arising in the Exchequer, in the year ending the 5th day of January, 1818	15,685
To make good the deficiency of the Grants for the year 1817 ...	259,696
For the purchase of a Lot of Ground adjoining the Branch of the Royal Military Asylum at Southampton, for the purposes of Air and Exercise.....	850
The following Services are directed to be paid, without any Fee or other Deduction whatsoever:—	
To be applied in further execution of an Act of the 43rd year of his present Majesty, cap. 80, towards making Roads and building Bridges in the Highlands of Scotland; for the year 1818...	20,000
Towards defraying the Expense of the building of a Penitentiary House at Milbank; for the year 1818	60,000
To defray the Expense of the Establishment of the Penitentiary House; from the 24th day of June, 1818, to the 24th day of June, 1819	11,043
To defray the Expense of the National Vaccine Establishment; for the year 1818	3,000
To defray the Expense of confining and maintaining Criminal Lunatics; for the year 1818.....	9,777
For the Relief of American Loyalists; for the year 1818	12,500
To defray the Charge of the Superannuation Allowances, or Compensations to retired Clerks and other Officers, formerly employed in the Office of the Commissioners for auditing the Public Accounts; for the year 1818	1,750
To defray the Charge of Ditto Ditto formerly employed in the Lottery Office; for the year 1818.....	336
To defray the Charge of the Superannuation Allowances, or Compensations to retired Clerks and other Officers, formerly employed in his Majesty's Mint; for the year 1818	630
To defray the Charge of Ditto to one of the late Paymasters of Exchequer Bills; for the year 1818	266
To amount of the Annuity granted to the Trustees of her late Royal Highness the Princess Charlotte Augusta, and his Serene Highness Leopold George Frederick Prince of Cobourg, which would have accrued from the 10th day of October, 1817, to the 6th day of November following, the day of her Royal Highness's death	4,651
To enable the Trustees of the British Museum to purchase the Library and Collection of the late Dr. Charles Burney	13,500
To defray the Expense of maintaining and repairing the British Forts on the Coast of Africa; for the year 1818.....	23,000
For the Board of Agriculture; for the year 1818	3,000
For defraying the Expense of Works carrying on at the College of Edinburgh; for the year 1818	10,000

PARLIAMENTARY ACCOUNTS. 421

SERVICES—continued.

	£.	s.	d.
Towards the Repairs of Henry the Seventh's Chapel; for the year 1818	3,494	14	6½
For the purchase of Land on Hounslow Heath, for the Exercise of Cavalry	15,000	0	0
Towards defraying the Expense of making an Inland Navigation from the Eastern to the Western Sea, by Inverness and Fort William; for the year 1818	50,000	0	0
To pay retired Allowances and Gratuities to the Officers and other persons formerly employed upon the Military Roads in Scotland, and the Management of which Roads has been transferred to the Commissioners for Highland Roads and Bridges..	2,397	0	0
To be applied towards the Expenses to be incurred in the Management of the British Museum; for the year 1818.....	8,663	16	8
Towards completing the Improvements in Westminster	3,626	8	0
Towards defraying the Charge of an Institution called the Veterinary College; for the year 1818	1,000	0	0
To enable his Majesty to pay the same to the Governors of the Bounty of Queen Anne, for the Augmentation of the Maintenance of the Poor Clergy, according to the Rules and Regulations by which the Funds of that Corporation are governed ...	100,000	0	0
Towards enabling his Majesty to make provision for the Augmentation of the Maintenance of the Poorer Clergy of Scotland, to be issued and applied pursuant to the provisions of any Act passed for that purpose	10,000	0	0
For defraying the Charges of preparing and drawing the Lotteries for 1817, &c.	18,000	0	0

IRELAND.

For defraying the Charge of the following SERVICES in IRELAND, which are directed to be paid Nett in British Currency :

For the Remuneration of certain Public Officers in Ireland; for their extraordinary trouble in the year 1818	1,153	16	11
For defraying the probable Expenditure of the Board of Works in Ireland; for the year 1818	16,901	0	0
For defraying the Charge of Printing, Stationary, and other Disbursements, for the chief and under Secretaries' offices and apartments, and other Public Offices in Dublin Castle, &c.; and for riding Charges, and other Expenses of the Deputy Pursuivants and extra Messengers attending the said Offices; also Superannuated Allowances in the said chief Secretary's Office; for one year ending the 5th day of January, 1819.....	20,809	0	0
For defraying the Expense of publishing Proclamations, and other matters of a Public nature, in the Dublin Gazette and other Newspapers in Ireland; for one year ending the 5th day of January, 1819	9,692	0	0
For defraying the Expense of Printing 1,500 Copies of a compressed Quarto Edition of the Statutes of the United Kingdom, for the use of the Magistrates of Ireland, and also 250 Copies of a Folio Edition of the same, bound, for the use of the Lords, Bishops, and Public Officers in Ireland	3,439	0	0
For defraying the Expense of Criminal Prosecutions, and other Law Expenses in Ireland; for one year ending the 5th day of January, 1819	23,076	0	0

SERVICES

422 ANNUAL REGISTER, 1819.

SERVICES IN IRELAND—continued.

	£.
To defray the Expense of apprehending Public Offenders in Ireland; for one year ending the 5th day of January, 1819	2,207
For completing the Sum necessary for the support of the Non-conforming Ministers in Ireland; for one year ending the 5th day of January, 1819.....	8,581
For the Support of Seceding Ministers from the Synod of Ulster in Ireland; for one year ending Ditto.....	3,868
For the Support of Protestant Dissenting Ministers in Ireland; for one year ending Ditto	756
For paying the Salaries of the Lottery Officers in Ireland; for one year ending 24th of June, 1818.....	1,764
For defraying the Expense of the Pratique of the Port of Dublin; for one year ending the 5th of January, 1819.....	691
For the Establishment and Maintenance of the Public Navigations in Ireland, vested in the Directors of Inland Navigation; for the year 1818	5,475
To defray Civil Contingencies in Ireland; for one year ending the 5th day of January, 1819	40,000
For defraying the Expense of making a Line of Canal from Lough Allan to the River Shannon, below Battle Bridge; in the current year	15,000
For further defraying the Civil Contingencies in Ireland; for the year ending 5th day of January, 1819	15,000
To carry on the Works at Duimore Harbour; in the year 1818	8,000
To carry on the Works at Howth Harbour; in the year 1818 ...	5,000
To defray the Expense of building Churches and Glebe Houses, and purchasing Glebes in Ireland; for one year ending the 5th day of January, 1819	9,230
For defraying the Expense of the Trustees of the Linen and Hempen Manufactures of Ireland; for the year ending the 5th day of January, 1819; to be by the said Trustees applied in such manner as shall appear to them to be most conducive to promote and encourage the said manufactures	19,958
To defray the Expense of the Commissioners for making wide and convenient Streets in the City of Dublin; for one year ending the 5th day of January, 1819	11,076
To defray the additional Allowance to the Chairman of the Board of Inland Navigation in Ireland; for the year 1818.....	276
To defray the Expense of putting the House of the Royal Irish Academy, in Grafton-street, into perfect Repair.....	323
For defraying the Expense of building Churches and Glebe Houses, and for purchasing Glebes in Ireland; for one year ending the 5th day of January, 1819	18,461
For defraying the Expense of supporting the Protestant Charter Schools of Ireland; for one year ending Ditto	38,331
For defraying the Expense of the Foundling Hospital at Dublin; for one year ending Ditto	32,511
For supporting the House of Industry, Hospitals, and Asylums, for Industrious Children in Dublin; for one year ending Ditto	36,641
For defraying the Expense of supporting the Richmond Lunatic Asylum at Dublin; for one year ending Ditto	7,08.
For defraying the Expense of the Hibernian Society for Soldiers' Children at Dublin; for one year ending Ditto	3,531
To defray the probable Charge of the Hibernian Marine Society; for one year ending Ditto	2,75

PARLIAMENTARY ACCOUNTS. 423

SERVICES IN IRELAND—continued.

	£.	s.	d.
paying the Expense of the Female Orphan House, on the Marlar Road, near Dublin; for one year ending the 5th day of January, 1819.....	2,307	0	0
supporting the Westmorland Lock Hospital in Dublin; for year ending Ditto	8,307	0	0
supporting the Lying-in Hospital; for one year ending Ditto	3,148	0	0
paying the probable Expense of Dr. Steven's Hospital; for year ending Ditto	1,467	0	0
paying the Expense of the Fever Hospital and House of Reco- nstruction in Cork-street, Dublin; for one year ending Ditto.....	4,615	0	0
paying the Expense of the Hospital for Incurables in Dublin; for year ending Ditto	465	0	0
paying the Charge of the Establishment of the Roman Ca- tholic Seminary; for the year ending Ditto	8,928	0	0
paying the Expense of the Association incorporated for restraining Vice, and promoting the Knowledge and Practice of the Christian Religion; for one year ending the 1st day of January, 1819	3,430	0	0
paying the Charge of the Green Coat Hospital of the City of Dublin; for one year ending Ditto	104	0	0
paying the Expense of the Cork Institution; for one year ending Ditto	2,307	0	0
paying the Expenses of the Society for promoting the Educa- tion of the Poor of Ireland; for one year ending Ditto	5,538	0	0
paying the Expenses of the Dublin Society; for one year ending Ditto	9,230	0	0
paying the Expenses of the Farming Society of Ireland; for year ending Ditto	4,015	0	0
	21,808,645	3	8
under Bills voted in Supply, per Act	£.	s.	d.
56 Geo. 3rd, c. 14.....	6,000,000	0	0
57 ... Do. 2.....	24,000,000	0	0
..... Do. 16.....	18,000,000	0	0
..... Do. 80.....	9,000,000	0	0
	57,000,000	0	0
Treasury Bills, per Act 56 Geo. 3rd, and 47.....	1,084,615	7	8½
	58,084,615	7	8½
	79,893,260	11	4½

424 ANNUAL REGISTER, 1819.

PAYMENTS FOR OTHER SERVICES,

Not being part of the Supplies granted for the Service of the Year.

	£.	s.	d.
James Fisher, Esq. on his Salary, for additional trouble in preparing Exchequer Bills, pursuant to Act 48 Geo. 3rd, c. 1	375	0	0
Bank of England, for Management on Life Annuities	1,156	8	6½
Expenses in the Office of the Commissioners for the Reduction of the National Debt	4,300	0	0
Expenses in the Office of the Commissioners for issuing Commercial Exchequer Bills	2,000	0	0
Repayment of Annuities claimed pursuant to Act 56 Geo. 3rd, c. 142		13	9
	7,836	8	½
Amount of Sums voted; as above	79,893,260	11	4½
TOTAL Sums voted, and Payments for Services not voted...	79,901,096	13	½

WAYS AND MEANS for Answering the foregoing SERVICES.

	£.	s.	d.
Duty on Malt, Sugar, Tobacco and Snuff, and on Pensions, Offices, &c. continued	3,000,000	0	0
Excise Duties, continued per Act 56 Geo. 3rd, c. 17	3,500,000	0	0
Profits of Lotteries	240,000	0	0
Arrears of Property Tax	250,000	0	0
Monies to arise from the Sale of Old Naval and Victualling Stores	250,000	0	0
Sums paid into the Exchequer by the Commissioners for the Management of Commercial Exchequer Bills	21,448	12	6
Loan 3,000,000 <i>l.</i> per Act 58 Geo. 3rd, c. 23	2,999,920	0	0
Exchequer Bills, funded per Act 58 Geo. 3rd, c. 23	27,424,872	16	0
Interest on Land Tax redeemed by Money	92	1	2
Unclaimed Dividends, &c. after deducting Repayments to the Bank for Deficiencies of Balance in their hands	59,656	2	10
	37,745,989	12	6
	£.	s.	d.
Exchequer Bills voted in Ways and Means,			
58 Geo. 3rd, c. 4	30,000,000	0	0
... Ditto ... 86	11,600,000	0	0
	41,600,000	0	0
Irish Treasury Bills, 58 Geo. 3rd, c. 87 ...	800,000	0	0
	42,400,000	0	0
TOTAL Ways and Means	80,145,989	12	6
TOTAL Sums voted, and Payments for Services not voted; as before.....	79,901,096	13	½
Surplus Ways and Means.....	244,892	18	¾

Whitehall, Treasury Chambers, }
23rd March, 1819. }

C. ARBUTHNOT.

END OF THE FINANCE ACCOUNTS FOR 1819.

CHARACTERS

AND

ANECDOTES.

ON BUONAPARTE.

ame de Stael's "Cons on the French Re-")

great armies of the ose of the Rhine and re almost constantly o the treaty of Campo ch, for a short time the long continental army of the Rhine, foreau was general, d all the republican the army of Italy,

by general Buona- ed by its conquests, ry day deviating fur- the patriotic spirit, en had animated the es. Personal interest ie place of a patriotic attachment to one vailing over a devo- y. The generals of Italy, likewise, sought enrich themselves, tionally diminishing ism for austere prin- at which a free state

bernadotte, of whom occasion to speak in ame with a division

of the army of the Rhine to join the army of Italy. There was a sort of contrast between the noble poverty of the one, and the irregular riches of the other: they resembled only in bravery. The army of Italy was the army of Buonaparté, that of the Rhine was the army of the French republic. Yet nothing was so brilliant as the rapid conquest of Italy. Doubtless the desire, which the enlightened Italians have always felt, to unite themselves into one state, and thus to possess so much national strength as to have nothing either to fear or to hope from strangers, contributed much to favour the progress of general Buonaparté. It was with the cry of 'Italy for ever!' that he passed the bridge of Lodi; and it was to the hope of independence, that he owed his reception among the Italians. But the victories which subjected to France countries beyond her natural limits, far from favouring liberty, exposed it to the danger of military government.

Buonaparté was already much talked of in Paris; the superiority of his capacity in business, joined to the splendor of his talents as a general, gave to his name an importance

importance which no individual had ever acquired from the commencement of the revolution. But although in his proclamations he spoke incessantly of the republic, attentive men perceived that it was in his eyes, a mean, and not an end. It was in this same light that he viewed all things and all men. A rumour prevailed, that he meant to make himself king of Lombardy. One day I met general Augereau, who had just returned from Italy, and who was cited, I believe then with reason, as a zealous republican, I asked him whether it was true that general Buonaparté was thinking of becoming a king. "No, assuredly," replied he; "he is a young man of too good principles for that." This singular answer was in exact conformity with the ideas of the moment. The sincere republicans would have regarded it as a degradation for a man, however distinguished he might be, to wish to turn the revolution to his personal advantage. Why had not this sentiment more force and longer duration among Frenchmen!

Buonaparté was stopped in his march to Rome by signing the peace of Tolentino; and it was then that he obtained the surrender of the superb monuments of the arts which we have long seen collected in the Museum of Paris. The true abode of these master-pieces was, without doubt, Italy, and the imagination regretted their loss; but of all her illustrious prisoners it was upon these that France justly set the highest value.

General Buonaparté wrote to

the Directory, that he the surrender of these monuments was one of the conditions of peace with the pope. He particularly insisted, on the busts of Junius and Brutus, which I wish to see in Paris before the rest. But who afterwards removed the busts from the hall of the legislative body, might have made them the trouble of the

Buonaparté made himself remarkable by his characteristic capacity as much as by his theories, and the imagination of the French was beginning to attach itself warmly to him. His exclamations to the Cisalpine and Ligurian republics were: "In the one this phrase was marked: You were divided down by tyranny; not in a situation to confer liberty. In the other, I request, the only conquests cost no regret, are the we make from ignorance style there reigned a moderation and dignity formed a contrast with revolutionary bitterness of leaders of France. He then spoke like a man while magistrates expressed themselves with military. Buonaparté in his army enforced the laws against the agrarians. He was said to be attached to his wife, whose character was full of gentleness. It was asserted that he was alive to the beauties of the people took delight in to him all the generous which give a pleasing extraordinary talents.

the nation was so we

ers who borrowed the name
erty, and of oppressed per-
rho regretted the loss of ar-
y power, that admiration
not what to attach itself to,
uonaparté seemed to unite
it was fitted to take it cap-

was with this sentiment at
hat I saw him for the first
at Paris. I could not find
to reply to him, when he
to me to say, that he had
it my father at Coppet, and
he regretted having passed
Switzerland without seeing

But when I was a little re-
ed from the confusion of
ation, a strongly-marked
ment of fear succeeded.
uonaparté, at that time, had no
; he was even believed to
a little threatened by the
us suspicions of the Direc-
so that the fear which he
d was caused only by the
ar effect of his person upon

all who approached him.
seen men highly worthy of
; I had likewise seen mon-
of ferocity: there was no-
in the effect which Buona-
produced on me, that could

back to my recollection
the one or the other. I
perceived, in the different
tunities which I had of
ng him during his stay at

that his character could
defined by the words which
mmonly use; he was neither
nor violent, nor gentle, nor

after the manner of indi-
ls of whom we have any
ledge. Such a being had
flow, and therefore could
r feel nor excite sympathy;
is more or less than man.

His cast of character, his under-
derstanding, his language, were
stamped with the impress of an
unknown nature;—an additional
advantage, as we have elsewhere
observed, for the subjugation of
Frenchmen.

Far from recovering my confi-
dence by seeing Buonaparté more
frequently, he constantly intimi-
dated me more and more. I had
a confused feeling that no emo-
tion of the heart could act upon
him. He regards a human being
as an action or a thing, not as a
fellow creature. He does not
hate more than he loves; for him
nothing exists but himself: all
other creatures are ciphers. The
force of his will consists in the im-
possibility of disturbing the cal-
culations of his egotism; he is an
able chess-player, and the human
race is the opponent to whom he
proposes to give check-mate.
His successes depend as much on
the qualities in which he is defi-
cient as on the talents which he
possesses. Neither pity nor al-
lurement, nor religion, nor at-
tachment to any idea whatsoever,
could turn him aside from his
principal direction. He is for his
self-interest what the just man
should be for virtue; if the end
were good, his perseverance
would be noble.

Every time that I heard him
speak, I was struck with his su-
periority; yet it had no simili-
tude to that of men instructed
and cultivated by study or socie-
ty, such as those of whom France
and England can furnish exam-
ples. But his discourse indicated
a fine perception of circum-
stances, such as the sportsman
has of the game which he pur-
sues.

sues. Sometimes he related the political and military events of his life in a very interesting manner; he had even somewhat of Italian imagination in narratives which allowed of gaiety. Yet nothing could triumph over my invincible aversion for what I perceived in him. I felt in his soul a cold, sharp-edged sword, which froze the wound that it inflicted; I perceived in his understanding a profound irony, from which nothing great or beautiful, not even his own glory, could escape; for he despised the nation whose suffrages he wished, and no spark of enthusiasm was mingled with his desire of astonishing the human race.

It was in the interval between the return of Buonaparté and his departure for Egypt, that is to say, about the end of 1797, that I saw him several times at Paris; and never could I dissipate the difficulty of breathing which I experienced in his presence. I was one day at table between him and the abbé Sieyès;—a singular situation, if I had been able to foresee what afterwards happened. I examined the figure of Buonaparté with attention; but whenever he discovered that my looks were fixed upon him, he had the art of taking away all expression from his eyes, as if they had been turned into marble. His countenance was then immovable, except a vague smile which his lips assumed at random, to mislead any one who might wish to observe the external signs of what was passing within.

The abbé Sieyès conversed during dinner unaffectedly and fluently, as suited a mind of his

degree of strength. I expressed himself concerning father with a sincere "He is the only man," "who has ever united the perfect precision in the notions of a great financier with the imagination of a poet." The eulogium pleased me, he characterized him. Buonaparté, who heard it, also said something concerning things concerning father and me; but like a man who takes no interest in industry whom he cannot make use of for the accomplishment of his ends.

His figure, at that time and pale, was rather agreeable; he has since grown fat, but does not become him; for he scarcely tolerate a character which inflicts so many sufferings on others, if we do not believe it to be a torment to the person himself. As his stature is short, his waist very long, he appears to much more advantage on horseback than on foot. In respect to his dress, it is war, and on which suits him. His manners in society are constrained, and timidity; he has an air of reserve when he is at his ease, and disdain when he is not; but suits him best, and according to which he indulges in it without restraint.

By a natural vocation for a regal office, he already addressed trifling questions to all who presented to him. Are you married? was his question to the guests. How many children have you? said he to the ladies. How long is it since you set out? was his question to the gentlemen. When do you set out? at the end of these interrogations of a similar kind, which establish the superi-

puts them over those
it to be thus questioned.
dy took delight in the
mbarrassing, by saying
ble things;—an art which
ice reduced into a sys-
ne has every other mode
gating men by degrading
at this epoch, however,
desire to please, for he
to his own thoughts the
f overturning the Direc-
l substituting himself in
but in spite of this de-
would have said that,
e prophet, he cursed in-
ly, though he intended

him one day approach a
dy distinguished for her
er wit, and the ardour
inions. He placed him-
ght before her, like the
the German generals,
to her, "Madam, I
: women to meddle with

"You are right, ge-
eplied she; "but in a
where they lose their
is natural for them to
know the reason." Bu-
nade no answer. He is
is calmed by an effec-
tance; those who have
s despotism deserve to
ed as much as he him-

Directory gave general
rté a solemn reception,
several respects should
lered as one of the most
t epochs in the history
volution. The court of
ce of the Luxembourg
sen for this ceremony.
would have been large
o contain the multitude
attracted: all the win-

dows and all the roofs were
crowded with spectators. The
five directors, in Roman costume,
were seated on a platform at the
further end of the court, and near
them the deputies of the two
councils, the tribunals, and the
institute. Had this spectacle oc-
curred before the subjugation of
the national representation to
military power on the 18th Fruc-
tidor, it would have exhibited an
air of grandeur: patriotic tunes
were played by an excellent band;
banners served as a canopy to
the Directors, and these banners
brought back the recollection of
great victories.

Buonaparté arrived, dressed
very simply, followed by his
aides-de-camp, all taller than
himself, but nearly bent by the
respect which they displayed to
him. In the presence of what-
ever was most distinguished in
France, the victorious general
was covered with applause: he
was the hope of every one: re-
publicans, royalists, all saw the
present or the future in the sup-
port of his powerful hand. Alas!
of the young men who then cried,
"Long live Buonaparté!" how
many has his insatiable ambition
left alive?

M. de Talleyrand, in present-
ing Buonaparté to the Directory,
called him "the liberator of
Italy, and the pacificator of the
continent." He assured them
that "general Buonaparté de-
tested luxury and splendor, the
miserable ambition of vulgar souls,
and that he loved the poems of
Ossian, particularly because they
detach us from the earth." The
earth would have required no-
thing better, I think, than to let
him

him detach himself from its concerns. Buonaparté himself then spoke with a sort of affected negligence, as if he had wished to intimate, that he bore little love to the government under which he was called to serve.

He said that for twenty centuries royalty and feudality had governed the world, and that the peace which he had just concluded was the era of republican government. "When the happiness of the French," said he, "shall be established upon better organical laws, all Europe will be free." I know not whether by the organical laws of freedom he meant the establishment of his absolute power. However that might be, Barras, at that time his friend, and president of the Directory, made a reply which supposed him to be sincere in all that he had just said, and concluded by charging him specially with the conquest of England, a mission rather difficult.

Nothing was better calculated to produce a striking effect on the mind than the Egyptian war; and though the great naval victory gained by Nelson near Aboukir, had destroyed all its possible advantages, letters dated from Cairo, orders issuing from Alexandria to penetrate to Thebes, on the confines of Ethiopia, increased the reputation of a man who was not now within sight, but who at a distance seemed an extraordinary phenomenon. He put at the head of his proclamations, "Buonaparté, Commander-in-chief, and Member of the National Institute;" whence it was concluded, that he was a friend to knowledge, and a protector of letters; but

the security which he these qualities was not than his profession of median faith, followed the cordat with the pope already beginning to im Europe by a system of tricks, convinced, as he the science of life consisted in the manœuvres of Buonaparté is not a but also a system; and right, the human species no longer be what God it. He ought therefore examined like a great the solution of which portance to meditation out all ages.

Buonaparté, in reducing thing to calculation, ciently acquainted with of the nature of man would not obey the will, to necessity of acting upon gination; and his docility consisted in the dazzling multitudes and of individuals.

His conversation with in the pyramid of the could not fail to enchant risians, for it united the lities by which they easily captivated; a ce of grandeur and of me gether. The French moved and to laugh moved: quackery is the and they aid willingly in themselves. provided allowed, while they act to show by some witty they are not so.

Buonaparté, in the made use of the oriel "Glory to Allah," "there is no true God

net is his prophet. stolen by the wicked lust in his mouth." "It spoken," said the e the most learned of .—"I can cause a ire to descend from ontinued Buonaparté, t it upon the earth." rt the mightiest cap- d the mufti, "whose wer of Mahomet hath ahomet, however, did Sir Sidney Smith ing, by his brilliant successes of Buona- Jean d'Acre. poleon, in 1805, was ; of Italy, he said to hier, in one of those en he talked of every e might try his ideas people; "This Sid- made fortune fail me d'Acre; my purpose out from Egypt, pro- antinople, and ar- s by marching back rope." This failure, ide at the time a very earance. Whatever might be, gigantic 'prises which followed aparté found means everes in Egypt pass s; and although his had no other result i of the fleet, and the of one of our finest was called the Con- e East. te, availing himself of the enthusiasm of or military glory, as- ir self-love with his well as with his de- gradually took pos- he place which the

revolution occupied in every head, and attached to his own name that national feeling, which had ag- grandized France in the eyes of foreigners.

Two of his brothers, Lucien and Joseph, had seats in the Coun- cil of Five Hundred; and both in their different lines had enough of intellect and talent to be eminent- ly useful to the general. They watched for him over the state of affairs, and when the moment was come, they advised him to return to France. The armies had been beaten in Italy, and were for the most part disorganized through the misconduct of the administra- tion. The Jacobins began to show themselves once more; the Directory was without reputation and without strength. Buonaparte received all this intelligence in Egypt, and after some hours of solitary meditation, he resolved to set out. This rapid and cer- tain perception of circumstances is precisely what distinguishes him, and opportunity has never offered itself to him in vain. It has been frequently repeated, that on departing then, he de- serted his army. Doubtless, there is a species of exalted disinterest- edness, which would not have allowed a warrior to separate him- self thus from the men who had followed him, and whom he left in distress. But Buonaparte ran such risks in traversing the sea, covered with English vessels; the design which summoned him to France was so bold, that it is ab- surd to treat his departure from Egypt as cowardice. Such a being must not be attacked with common declamations:— every man, who has produced a great

great effect on other men, to be judged, should be examined thoroughly.

A reproach of a much graver nature is the total want of humanity which Buonaparte manifested in his Egyptian campaign. Whenever he found any advantage in cruelty, he indulged in it, and yet his despotism was not sanguinary. He had no more desire to shed blood, than a reasonable man has to spend money without need. But his ambition was, in his nomenclature, necessity; and when this ambition was concerned, he did not for a moment allow himself to hesitate to sacrifice others to himself. What we call conscience, was in his eyes only the poetical name of cozenage.

Different accounts have been given of the manner in which the revolution of the 18th Brumaire was accomplished. The point of chief importance is, to observe on this occasion the characteristic traits of the man, who has been for nearly fifteen years the master of the continent of Europe. He repaired to the bar of the Council of Ancients, and wished to draw them into his views by addressing them with warmth and dignity: but he cannot express himself in connected discourse; it is only in conversation that his keen and decisive spirit shows itself to advantage. Besides, as he has no true enthusiasm on any subject, he is never eloquent but in abuse; and nothing was more difficult for him than to confine himself in his address to that kind of respect which is due to an assembly whom we wish to convince. He

attempted to say to them of Ancients, "I am at war and of fortune, for But he used these pomp from mere embarrassment their place would rather "You are all a pack of and I will have you and do not obey me."

On the 19th Brumaire to the Council of Five his arms crossed, with gloomy air, and followed tall grenadiers, who prot shortness of his stature. puties, who were named, uttered violent exclamati they saw him enter the l tunately for him his bro cien was president at t it was in vain that he rang to re-establish order; traitor and usurper n from every quarter; at the members, a countr Buonaparte, the Corsica approached the gener shook him violently by t of his coat. It has b posed, but without rea he had a poignard to l His action, however, Buonaparte, who said to nadiers by his side, as h head drop over the sh one of them, "Get me this." The grenadiers him away from among t ties who surrounded h bore him from the hall i open air. He was no so than his presence of r turned. He instantly i on horseback, and passir the ranks of his grenadi determined them to wished should be done.

In this situation, as

Others, it has been observed that Buonaparte could be thrown into confusion, when another danger than that of war was set before him; whence some persons have ridiculously enough inferred that he was deficient in courage. His hardihood surely cannot be denied; but as he is nothing, not even brave, in a generous manner, it follows that he never exposes himself but when it may be advantageous. He would be much vexed at the prospect of being killed, for that would be a reverse, and he wishes to be successful in every thing; he would likewise be vexed at it, because death is disagreeable to the imagination: but he does not hesitate to hazard his life, when, according to his views, the game, if I may be allowed the expression, is worth the risk of the stake.

After general Buonaparte left the hall of the Five Hundred, the deputies opposed to him were vehement in demanding, that he should be put out of the protection of the law; and it was then that his brother Lucien, president of the assembly, did him an eminent service by refusing, in spite of all the solicitations with which he was urged, to put that proposition to the vote. If he had consented, the decree would have passed, and no one can tell what impression it might yet have produced on the soldiers. For ten years they had uniformly abandoned such of their generals as the legislative power had proscribed; and although the national representation had lost its character of legality by the 18th Fructidor, the similarity of words often prevails over the diversity of

VOL. LXI.

things. Buonaparte hastened to send an armed force to bring Lucien in safety out of the hall: as soon as he was gone, the grenadiers entered the orangery, where the deputies were assembled, and drove them away by marching from one extremity of the hall to the other, as if there had been nobody present. The deputies, driven against the wall, were forced to escape by the window into the gardens of St. Cloud with their senatorial robes. The representatives of the people had been already proscribed in France; but it was the first time since the Revolution that the civil power had been rendered ridiculous in presence of the military; and Buonaparte, who wished to establish his dominion on the degradation of bodies, as well as on that of individuals, enjoyed his success in destroying at the very outset the dignity of the deputies. From the moment that the moral force of the national representation was annihilated, a legislative body, whatever it might be, was in the eyes of the military a mere assemblage of five hundred men, much less strong and active than a battalion of the same number; and they have since been always ready, at the command of their chief, to correct diversities of opinion like faults in discipline.

In the committees of the Five Hundred, Buonaparte, in presence of the officers of his suite and some friends of the Directory, made a speech, which was printed in the journals of the day. It contains a remarkable comparison, which history ought to store up. "What have they done," said he, speaking of the directors,

2 F

"with

"with that France which I left to them so brilliant? I left them peace, and I find war at my return; I left them victories, and I find defeats. What, in short, have they done with the hundred thousand Frenchmen, all of them my acquaintances and my companions in arms, who are now no more?" Then all at once concluding his harangue, in a calm tone he added, "This state of things cannot last; it would lead us in three years to despotism." He took upon himself the charge of hastening the accomplishment of his prediction.

The first symptoms of tyranny cannot be watched too carefully; for when once it has grown up to a certain point, it can no longer be stopped in its career. A single man enchains the will of a multitude of individuals, the greater part of whom, taken separately, would wish to be free, but who nevertheless submit because they dread one another, and dare not communicate their thoughts freely. A minority not very numerous is often sufficient to resist in succession every portion of the majority which is unacquainted with its own strength.

In spite of the differences of time and place, there are points of resemblance in the history of all nations who have fallen under the yoke. It is generally after long civil troubles that tyranny is established, because it offers the hope of shelter to all the exhausted and timorous factions. Buonaparte said of himself with reason, that he could play admirably upon the instrument of power. In truth, as he is attached to no principles, nor restrained by any

obstacles, he presents himself in the arena of circumstances like a wrestler, no less supple than vigorous, and discovers at the first glance the points in every man or association of men, which may promote his private designs. His scheme for arriving at the dominion of France rested upon three principal bases,—to satisfy men's interests at the expense of their virtues, to deprave public opinion by sophisms, and to give the nation war for an object instead of liberty. We shall see him follow these different paths with uncommon ability. The French, alas! seconded him only too well: yet it is his fatal genius which should be chiefly blamed; for as an arbitrary government had at all times prevented the nation from acquiring fixed ideas upon any subject, Buonaparte set his passions in motion without having to struggle against its principles. He had it in his power to do honour to France, and to establish himself firmly by upright institutions: but his contempt of the human race had quite dried up his soul, and he believed that there was no depth but in the region of evil.

We have already seen him decree a constitution, in which there existed no securities. Besides, he took great care to leave the laws that had been published during the revolution unrepealed, that he might at his pleasure select from this accursed arsenal the weapon which suited him. The extraordinary commissions, the transportations, the banishments, the slavery of the press, measures unfortunately introduced in the name of liberty,

were

extremely useful to tyranny.

he employed them, he always as a pretext, sometimes in the name of state, sometimes in the name of the conjuncture, sometimes the activity of his advisers, sometimes the necessity of maintaining tranquillity. He was the artillery of the phrases in which absolute power is defended, for circumstances never an end; and in proportion as the restraint by illegal measures is relaxed, the disaffected become more numerous, which he uses to justify the necessity of acts of injustice. The establishment of the sovereignty of the people is always deferred till tomorrow, a vicious circle of reason, which it is difficult to break; for liberty will scarcely be admitted till that public spirit is lost which can result only from the enjoyment of liberty.

The constitution gave Buonaparte two colleagues: he chose two singular sagacity, for his associates; two men, who were of no use but to disguise the reality of his despotism: the first was Cambacérès, a lawyer without learning, who had been silent in the convention to bend his mind before terror; the

second, Lebrun, a man of highly cultivated mind and highly polished manners, who had been employed under the chancellor Maupeou under that minister, who, invested with the degree of arbiter, gave power which he found in monarchy as it then existed, substituted for the parliament of France one named by himself. Cambacérès was the promoter of Buonaparte to the

revolutionists, Lebrun to the royalists: both translated the same text into two different languages. Thus two able ministers were charged with the task of adapting the old system and the new to the mixed mass of the third. The first, a great noble who had been engaged in the revolution, told the royalists, that it was their interest to recover monarchical institutions, at the expense of renouncing the ancient dynasty. The other, who, though a creature of the era of disaster, was ready to promote the re-establishment of courts, preached to the republicans the necessity of abandoning their political opinions, in order to preserve their places. Among these knights of circumstances, the grand master Buonaparte could create such conjunctures as he desired; while the others manœuvred according to the wind with which the genius of the storms had filled their sails.

The political army of the First Consul was composed of deserters from the two parties. The royalists sacrificed to him their fidelity to the Bourbons; the patriots, their attachment to liberty: so that no independent style of thinking could show itself under his dominion; for he was more willing to pardon a selfish calculation than a disinterested opinion. It was by the bad side of the human heart that he hoped to gain possession of it.

Buonaparte took the Tuileries for his abode: and even the choice of this residence was a stroke of policy. It was there that the king of France was accustomed to be seen; circum-

stances connected with monarchy were there presented to every eye; and the very influence of the walls on the minds of spectators was, if we may say so, sufficient for the restoration of regal power. Towards the concluding days of the last century, I saw the First Consul enter the palace built by our kings: and though Buonaparte was still very far from the magnificence which he afterwards displayed, there was visible in all around him an eagerness to vie in the courtier arts of oriental servility, which must have persuaded him that it was a very easy matter to govern the earth. When his carriage arrived in the court of the Tuileries, his valets opened the door and put down the steps with a violence which seemed to say, that even inanimate substances were insolent when they retarded his progress for a moment. He neither looked at, nor thanked any person, as if he were afraid of being thought sensible to the homage which he required. As he ascended the staircase in the midst of the crowd which pressed to follow him, his eyes were not fixed on any object or any person in particular. There was an air of vagueness and want of thought in his physiognomy, and his looks expressed only what it always becomes him to show—indifference to fortune, and disdain for men.

One circumstance, which was singularly favourable to the power of Buonaparte, was, that he had nothing but the mass of the nation to manage. All individual existence had been annihilated by ten years of tumult, and no-

thing acts upon a people like military success: to resist this inclination on their part, instead of profiting by it, a great strength of reason is requisite. Nobody in France could believe his situation secure; men of all classes, whether ruined or enriched, banished or recompensed, found themselves, if I may say so, one by one alike in the hands of power. Thousands of Frenchmen were upon the list of emigrants, thousands more had acquired national domains; thousands were proscribed as priests or nobles; and thousands of others feared to be so for their revolutionary deeds. Buonaparte, who constantly marched between two opposite interests, took care not to terminate these inquietudes by fixed laws, which would enable every man to know his rights. To this or that man he gave back his property; from this or that other he took it away for ever. A decree concerning the restitution of woods reduced one man to misery, while another recovered more than he had originally possessed. Sometimes he restored the estate of the father to the son, or that of the elder brother to the younger, according as he was satisfied or dissatisfied with their attachment to his person. There was not a Frenchman who had not something to ask of the government; and that something was life: for favour then consisted, not in the frivolous pleasure which it can impart, but in the hope of revisiting the land in which he was born, and of recovering a part at least of what he once possessed. The First Consul had reserved to himself, under
some

some pretext or other, the power of disposing of the lot of all and of every one. This unheard-of state of dependance excuses in a great measure the nation. Is universal heroism to be expected; and was there not need of heroism to run the risk of the ruin and the banishment which impended over all, and which might fall by the application of a decree. A singular concurrence of circumstances placed the laws of the period of terror, and the military force created by republican enthusiasm, at the disposal of one man. What an inheritance for an able despot!

Two very different plans of conduct presented themselves to Buonaparte when he was crowned emperor of France. He might confine himself to the barrier of the Rhine and the Alps, which Europe did not dispute with him after the battle of Marengo, and render France, thus enlarged, the most powerful empire in the world. The example of constitutional liberty in France would have acted gradually, but with certainty, on the rest of Europe. It would no longer have been said that freedom is suitable only for England, because it is an island; or for Holland, because it is a plain; or for Switzerland, because it is a mountainous country; and a continental monarchy would have been seen flourishing under the shadow of the law, than which there is nothing more holy upon earth, except the religion from which it emanates.

Many men of genius have exerted all their efforts to do a little good, and to leave some traces of their institutions behind them.

Destiny, in its prodigality towards Buonaparte, put into his hands a nation at that time containing forty millions of men, a nation whose amiable manners gave it a powerful influence on the opinions and taste of Europe. An able ruler, at the opening of the present century, might have rendered France happy and free without any effort, merely by a few virtues. Napoleon is guilty not less for the good which he has not done, than for the evils of which he is accused.

In short, if his devouring activity felt itself straitened in the finest monarchy in the world; if to be merely emperor of France was too pitiful a lot for a Corsican, who, in 1790, was a subaltern, he should at least have stirred up Europe by the pretext of some great advantages to herself. The re-establishment of Poland, the independence of Italy, the deliverance of Greece, were schemes that had an air of grandeur; states might have felt an interest in the revival of other states. But was the earth to be inundated with blood, that prince Jerome might fill the place of the Elector of Hesse; and that the Germans might be governed by French rulers, who took to themselves fiefs of which they could scarcely pronounce the titles, though they bore them; but on the revenues of which they easily laid hold in every language? Why should Germany have submitted to French influence? This influence communicated no new knowledge, and established no liberal institutions within her limits, except contributions and conscriptions still heavier

heavier than all that had been imposed by her ancient masters. There were, without doubt, many reasonable changes to be made in the constitutions of Germany; all enlightened men knew it; and for a long time accordingly they had shown themselves favourable to the cause of France, because they hoped to derive from her an improvement of their own condition. But without speaking of the just indignation which every people must feel at the sight of foreign soldiers in their territory, Buonaparte did nothing in Germany but with the view of establishing there his own power and that of his family: was such a nation made to serve as a footstool to his vanity? Spain too could not but reject with horror the perfidious means which Buonaparte employed to enslave her. What then did he offer to the empires which he wished to subjugate? Was it liberty? Was it strength? Was it riches? No; it was himself, always himself, with whom the world was to be re-galed in exchange for every earthly blessing.

The Italians, in the confused hope of being finally united in one state; the unfortunate Poles, who implore hell as well as heaven that they may again become a people, were the only nations who served the emperor voluntarily. But he had such a horror for the love of liberty, that; though he needed the Poles as auxiliaries, he hated in them the noble enthusiasm which condemned them to obey him. This man, so able in the arts of dissimulation, could not avail himself even hypocritically of the pa-

triotic sentiments from which he might have drawn so many resources; he could not handle such a weapon, and he was always afraid lest it should be shivered in his hand. At Posen, the Polish deputies came to offer him their fortunes and their lives for the re-establishment of Poland. Napoleon answered them with that gloomy voice, and that hurried declamation, which have been remarked in him when under constraint, consisting of a few words about liberty, well or ill put together, which cost him such an effort that it was the only lie which he could not pronounce with apparent ease. Even when the applauses of the people were in his favour, the people were still disagreeable to him. This instinct of despotism made him raise a throne without foundation, and forced him to fail in what was his vocation here below, the establishment of political reform.

The means of the Emperor to enslave Europe were audacity in war and craft in peace. He signed treaties when his enemies were half beaten, that he might not drive them to despair, but yet weaken them so much, that the axe which remained in the trunk of the tree might cause it at length to perish. He gained some friends among the old sovereigns by showing himself in every thing the enemy of freedom. Accordingly, it was the nations who finally rose up against him; for he had offended them more even than kings. Yet it is surprising still to find partisans of Buonaparte elsewhere than among the French, to whom he at least gave victory as a compensation
for

C H A R A C T E R S, &c.

of despotism. His partisans especially in Italy, were in general friends of liberty, who had erroneously flattered themselves with retaining it from him, and who could still prefer any great event to the dejection into which they are now fallen. Without wishing to enter upon the interests of foreigners, of which we have determined not to speak, we may venture to affirm, that the particular benefits conferred by Buonaparte, the high roads necessary to his projects, the monuments consecrated to his glory, some remains of the liberal institutions of the Constituent Assembly, of which he occasionally permitted the application out of France, such as the improvement of jurisprudence and public education, or the encouragements given to the sciences: all these benefits, desirable as they might be, could not compensate for the degrading yoke which weighed down the general character. What superior genius has been developed during his reign, or will be developed for a long time to come, in the countries where he ruled? If he had desired the triumph of a virtuous and discreet liberty, energy would have been displayed on every side, and a new impulse would have animated the civilized world. But Buonaparte has not procured for France the friendship of a single nation. He has made up marriages, rounded and united provinces, new-modelled geographical maps, and counted souls, in the manner since received, to complete the dominions of princes; but where has he implanted those political principles which are the ramparts, the

treasures, and the glory of England? those institutions which are invincible after a duration even ten years; for they have that time produced so much happiness, that they rally all citizens of a country in their defence?

The two principal causes of Napoleon's power in France were above all, his military glory, the art with which he re-established order, without attacking those selfish passions to which the revolution had given birth. But every thing was not included in these two problems.

It is pretended that, in discussions in the council of state, Napoleon displayed a universal sagacity. I have some doubt of the ability ascribed to a man who is all-powerful; we plain people in private life earn our celebrity at a much dearer rate. On not, however, master of Europe during fifteen years, with having a piercing view of men and things. But there was in mind of Buonaparte an incredulity, which is a marked feature of those who do not range their thoughts under the law of doubt. The power of commanding has been given by nature to Buonaparte; but it was rather because other men did not act upon him than because he acted upon them, that he became their master. The qualities of which he was destitute served his purpose as well as the talents he possessed; and he made himself obey only by degrading those whom he subjected. His successes are astonishing; his reverses more astonishing still. What he has formed, aided by the energy

the nation, is admirable: the state of torpor in which he left it can scarcely be conceived. The multitude of men of talents whom he employed is extraordinary; but the characters whom he debased have done more harm to the cause of liberty than the service that could be rendered to it by all the powers of intelligence. To him, above all, may be applied the fine image of despotism, in the "Spirit of Laws;" "he cut up the tree by its roots to obtain its fruit," and perhaps he has even dried up the soil.

In a word, Buonaparte, the absolute master of eighty millions of men, and meeting nowhere with opposition, knew neither how to found a single institution in the state, nor durable power for himself. What then was the destructive principle which haunted his triumphal steps? What was it?—the contempt of mankind, and consequently of all the laws, all the studies, all the establishments, and all the elections of which the basis is respect for the human race. Buonaparte was intoxicated with the vile draught of Machiavelism; he resembled in many respects the Italian tyrants of the fourteenth and fifteenth centuries; and as he had read but little, the natural tendency of his character was not counteracted by the effect of information. The middle ages being the most brilliant era in the history of the Italians, many of them have but too much respect for the maxims of government at that period, and those maxims were all collected by Machiavel.

A general principle, whatever it might be, was displeasing to

Buonaparte, as a thing foolish or hostile. He listened only to the considerations of the moment, and examined things merely with a view to their immediate utility; for he would have wished to stake the whole world in an annuity on his own life. He was not sanguinary, but indifferent respecting the lives of men, considering them but as a means of attaining his end, or as an obstacle to be removed out of his way. He was even less irascible than he often seemed to be: he wished to terrify by his words, in order to spare himself the act by the threat. Every thing with him was means, or end; nothing involuntarily was to be found either in good or evil. It is pretended that he said, "I have so many conscripts to expend by the year;" and it is probable that he held that language; for Buonaparte had contempt enough for his hearers to delight in a kind of sincerity which is nothing less than impudence.

He never believed in exalted sentiments, either in individuals or in nations; he considered the expression of these sentiments as hypocrisy. He believed that he held the key of human nature by fear and by hope, skilfully presented to the selfish and the ambitious. It must be allowed that his perseverance and activity were never slackened in behalf of the slightest interests of despotism; but it was that very despotism which was destined one day to fall upon his head. An anecdote, in which I happened to have some share, may give an additional idea of the system of Buonaparte relative to the art of governing.

The

the duke of Melzi, who was some time vice-president of the Cisalpine republic, was one of the most distinguished characters which Italy, so fertile in production, has brought

Born of a Spanish mother, and an Italian father, he blended the dignity of one nation with the vacuity of the other; and I am not sure whether even in France, a man could be cited so remarkable for his powers of conversation, and for the more important and essential talent of judging and appreciating all who acted a political part in Europe. The First Consul was obliged to employ him, because

he had the greatest influence over his fellow-citizens, and because his attachment to his country was unquestioned. Buonaparte did not like to make use of men who were disinterested, whose principles, whatever might be, were not to be shaken; he was therefore continually circumventing Melzi, in order to corrupt him.

Having caused himself to be elected king of Italy, in 1805, Buonaparte went to the legislature of Lombardy, and induced the assembly that he had the intention of giving a considerable estate to the duke of Melzi, as a testimony of public gratitude towards him: this, he thought, would render him unopposed. Being then at Milan, I saw that same evening M. de Melzi, who was quite in despair at a perfidious trick that Buonaparte had played him, without having given him the slightest warning. As Buonaparte would have been irritated by a refusal, I

advised M. de Melzi to appropriate instantly to a public establishment the revenues with which he was thus overwhelmed. He followed my advice, and the next day, walking with the emperor, he told him that such was his intention. Buonaparte, seizing him by the arm, exclaimed, "This, I would wager is an idea of Madame de Staël; but take my advice, and do not give into the romantic philanthropy of the eighteenth century; there is only one thing to do in this world: that is to get continually more money, and more power; all the rest is chimerical." Many people will say that he was right; I think, on the contrary, that history will show that by establishing this doctrine, by setting men loose from the ties of honour, every where but on the field of battle, he prepared his partisans to abandon him, according to his own precepts, when he should cease to be the strongest; and indeed he may well boast of having met with more disciples faithful to his system, than adherents devoted to his misfortunes. He consecrated his policy by fatalism, the only religion suitable to this devotedness to fortune; and his prosperity constantly increasing, he ended by making himself the high-priest and idol of his own adoration, believing in himself, as if his desires were presages, and his designs oracles.

The duration of the power of Buonaparte was a perpetual lesson of immorality. If he had always succeeded, what should we have been able to say to our children? There would have been left, it is true, the solace of religious resignation;

signation; but the mass of the inhabitants of the world would have sought in vain to discover the intentions of Providence in human affairs.

Nevertheless, in 1811, the Germans still called Buonaparte the man of fate, and the imagination even of some Englishmen was dazzled by his extraordinary talents. Poland and Italy still hoped for independence from him, and the daughter of the Cæsars had become his consort. This signal honour caused him a transport of joy, foreign to his nature; and for some time it might be believed that his illustrious partner would change the character of the man with whom destiny had connected her. Even at this time, Buonaparte wanted but one good sentiment to have become the greatest monarch upon earth; either that of paternal affection, which induces men to take care of the inheritance of their children; or pity for the French who rushed to death for him whenever he gave the signal; or equity towards foreign nations who gazed at him with wonder; or, in short, that kind of prudence natural to every man, towards the middle of life, when he sees the approach of the vast shadows by which he must soon be enveloped: one virtue, one single virtue would have sufficed to have fixed all human prosperity on the head of Buonaparte. But the divine spark dwelt not in his heart.

I was at Moscow exactly a month before Napoleon's army entered its walls; and I did not dare to remain but a very short time, fearing its immediate approach. When walking on the

top of the Kremlin, the palace of the ancient Czars, which commands the vast capital of Moscow and its eighteen hundred churches, I thought it was the lot of Buonaparte to see empires at his feet as Satan offered them to our first ancestor. But it was when he remained nothing more than a conqueror in Europe, that he fell seized upon him, and he fell with as much rapidity as he had risen. Perhaps he had learned, that whatever be the events in the earlier part of a man's life, there is a potency in virtue which always re-appears at the fall of the tragedy; as, among the ancients, the knot was severed by a god, when the action was brought to the end by the intervention of his deity.

Buonaparte performed, for his nation, what the nation performed for itself: a miracle: notwithstanding immense losses in Russia, his army was created in less than three months, which was a march into Germany, and he fought battles anew. It was then the demon of pride and folly possessed Buonaparte in a manner, that reasoning, founded on his own interest, can not explain the motives of his conduct: it was at Dresden that he mistook the last apparition of his tutelary genius.

The Germans, long independent, rose at length against the French who occupied their territory. National pride, the great strength of human nature, again displayed itself among the sons of many. Buonaparte was taught what becomes of those who have been constrained by force; and that, whatever be the voluntary, is destroyed.

e of fortune. The so-
Germany fought with
dity of soldiers; and
s if the Prussians and
ce king were animated
remembrance of the per-
lt offered some years

Buonaparte to their
nd virtuous queen.

eration of Germany
een the object of the
he emperor of Russia.
French were repulsed
country, he devoted
his cause, not only as
a, but as a general;
eral times exposed his
the character of a mo-
ded by his courtiers,
of an intrepid soldier.
lcomed her deliverers,
d that house of Orange,
ces are now, as here-

defenders of inde-
and the magistrates of
Whatever was the in-
this period of the
ctories in Spain, we
c elsewhere of lord
; for we must pause
ie; we cannot take an
notice of it.

rt returned to Paris;
t this moment France
e been saved. Five
f the Legislative As-
Gallois, Raynouard,
s, Maine de Biran,
asked for peace at the
ir lives. Each of those
ght be designated by
ar merit; and the last
ed, Lainé, perpetuates
by his conduct and
remembrance of an
ch alone would suffice
ny character. If the
joined with the five

members of the legislative body,
and the generals had supported
the Senate, France would have
been the disposer of her own
fate; and whatever course she
had taken, she would have re-
mained France. But fifteen years
of tyranny subvert every idea,
and change every sentiment; the
very men who would expose so
nobly their lives in war, are not
aware that the same courage,
and the same honour, command
resistance in the civil career to
the enemy of all despotism.

Buonaparte answered the de-
putation of the Legislative Body
with a kind of concentrated fury;
he expressed himself ill, but his
pride was seen to pierce through
his confused language. He said
"that France wanted him more
than he wanted France;" for-
getting that it was himself who
had reduced her to that state.
He added, "that a throne was
but a piece of wood, upon which
a carpet was spread, and that all
depended on the person by whom
it was occupied." In short, he
continued to appear intoxicated
with himself. A singular anec-
dote, however, might lead us to
believe that he was already struck
with that stupor which seems to
have taken possession of his cha-
racter during the last crisis of his
political life. A person worthy
of credit told me, that, convers-
ing with him alone, the day be-
fore his departure for the army,
in the month of January, 1814,
when the allies had already en-
tered France, Buonaparte con-
fessed in this private interview
that he did not possess the means
of resisting; they discussed the
question, and Buonaparte showed
him,

him, without reserve, the worst side of things; and, what will scarcely be believed, he fell asleep while talking on such a subject, without any preceding fatigue that could explain so singular an apathy. This did not prevent his displaying an extreme activity in his campaign of 1814; he suffered himself, no doubt, to be misled by a presumptuous confidence; and, on the other hand, physical existence, through enjoyments and facilities of all kinds, had gained possession of this man, formerly so intellectual. His soul seemed in some sort to have become gross along with his body. His genius now pierced only at intervals through that covering of egotism which a long habit of being considered every thing had made him acquire. He sunk under the weight of prosperity, before he was overthrown by misfortune.

No, never shall I forget the moment when I learned from one of my friends, on the morning of the 6th of March, 1815, that Buonaparte had disembarked on the coast of France: I had the misfortune to foresee instantly the consequences of that event, such as they have since taken place, and I thought that the earth was about to open under my feet. For several days after the success of this man, the aid of prayer failed me entirely, and, in my trouble, it seemed to me that the Deity had withdrawn from the earth, and would no longer communicate with the beings whom he had placed there.

I suffered in the bottom of my heart from personal circumstances; but the situation of

France absorbed every thought. I said to Lavalette, whom I met the hour when this resounding around us is an end of liberty, if I triumph, and of national independence, if he be. The event has, I think much justified this sad

It was impossible to inexpressible irritation return, and during the of Buonaparte. For back, all those who had acquaintance with revolution the air charged with repeated notice of this to persons connected with the government; but many among the aristocracy regarded the disquietude of liberty as relapsing still believing in the influence of the people, in the power of revolutions. The most among the aristocracy that public affairs required government only, and that indiscreet to interfere. They could not be understood, that to be consistent with what is passing in France where the spirit of liberty, men in office neglect no intelligence different to no circumstances multiply their number, instead of wrapping themselves up in a mystery. The partisans of the Emperor were a thousand times formed on every thing servants of the king. Buonapartists, as well as the master, were aware of the importance every individual in a time of trouble. every thing depended on

present those who are
ce act more on public
an government itself,
consequently a better
to the future.

usual dread had taken
of my soul several
the disembarkation
arte. In the evening,
beautiful buildings of
were displayed by the
e moon, it seemed to
saw my happiness and
nce, like a sick friend,
le is the more amiable,
is on the eve of leaving
I told that this terrible
at Cannes, I shrunk
certainty as before a
but when it was no
sible to escape that
I was but too well
it he would be at Paris
night. The royalists
ckery of this terror; it
e to hear them say that
was the most fortunate
ble, because we should
ieved from Buonaparté,
ie two chambers would
ecessity of giving the
ute power, as if abso-
r was a thing to be
espotism, like liberty,
l, it is never granted.
sure that among the
of every constitution,
not have been some
ed at the convulsion
ht recall foreigners and
m to impose an abso-
ment on France.

ays were passed in the
ate hopes of the royalist
t last, on the 9th of
were told that nothing
n of the Lyons tele-
ause a cloud had pre-
iding the communica-

tion. I was at no loss to under-
stand what this cloud was. I
went in the evening to the
Tuileries to attend the king's
levee; on seeing him, it seemed
to me that, with a great deal of
courage, he had an expression of
sadness, and nothing was more
affecting than his noble resigna-
tion at such a moment. On
going out, I perceived on the
walls of the apartment, the eagles
of Napoleon which had not yet
been removed, and they seemed
to me to have ré-assumed their
threatening look.

In the evening, in a party, one
of those young ladies who, with
so many others, had contributed
to the spirit of frivolity which it
was attempted to oppose to the
spirit of faction, as if the one
could contend against the other;
one of these young ladies, I say,
came up to me, and began jesting
on that anxiety which I could
not conceal: "*What, Madam,*"
said she to me, "*can you ap-
prehend that the French will not
fight for their legitimate king
against a usurper?*" How, with-
out committing one's self, could
one answer a phrase so adroitly
turned? But, after twenty-five
years of revolution, ought one to
flatter one's self that legitimacy,
an idea respectable but abstract,
would have more ascendancy
over the soldiers than all the
recollections of their long wars?
In fact, none of them contended
against the supernatural ascen-
dency of the genius of the African
isles; they called for the tyrant
in the name of liberty: they re-
jected in its name the constitu-
tional monarch; they brought
six hundred thousand foreigners
into the bosom of France, to
efface

efface the humiliation of having seen them there during a few weeks; and this frightful day of the 1st of March, the day when Buonaparte again set foot on the soil of France, was more fertile in disasters than any epoch of history.

I will not launch out, as has been but too much done, into declamations of every kind against Napoleon. He did what it was natural to do in endeavouring to regain the throne he had lost, and his progress from Cannes to Paris is one of the greatest conceptions of audacity that can be cited in history. But what shall we say of the enlightened men who did not see the misfortunes of France and of the world in the possibility of his return? A great general, it will be said, was wanted to avenge the reverses experienced by the French army. In that case, Buonaparte ought not to have proclaimed the treaty of Paris; for if he was unable to re-conquer the barrier of the Rhine sacrificed by that treaty, what purpose did it answer to expose that which France was possessing in peace? But, it will be answered, the secret intention of Buonaparte was to restore to France her natural barriers. But was it not clear that Europe would penetrate that intention, that she would form a coalition to resist it, and that, particularly at the time in question, France was unable to resist united Europe? The congress was still assembled; and although a great deal of discontent was produced by several of their resolutions, was it possible that the nations would make choice of Buonaparte for their

defender? Was it he who had oppressed them whom they could oppose to the faults of their princes? The people were more violent than the sovereigns in the war against Buonaparte; and France, on taking him back for her ruler, necessarily brought on herself the hatred both of governments and nations. Will it be pretended that it was for the interest of liberty that they recalled the man who had, during fifteen years, shown himself most dextrous in the art of being master—a man equally violent and deceitful? People spoke of his conversion, and there were not wanting believers in this miracle: less faith certainly was required for the miracles of Mahomet. The friends of liberty have been able to see in Buonaparte only the counter-revolution of despotism, and the revival of an old regime more recent, but on that account more formidable; for the nation was still completely fashioned to tyranny, and neither principles nor public virtue had had time to take root. Personal interests only, and not opinions, conspired for the return of Buonaparte, and of those mad interests which were blinded in regard to their own danger, and accounted the fate of France as nothing.

POPE.

[*From King's Anecdotes of his own Times.*]

A man, who has contracted the pernicious habit of drinking drams, is conscious that he is taking in a slow poison, and therefore he will never own it either to his friend or his physi-

though it is visible to all his instance. Pope and I, with Mr. Orrery and Sir Harry Gfield, dined with the late Lord of Burlington. After the course Pope grew sick, and went out of the room. When it was ended, and the clothed, my lord Burlington said he would go out, and see what became of Pope. And soon they returned together. But who had been casting up and down, looked very pale, and sighed much. My lord asked if he would have some mulled wine or a glass of old sack, Pope refused. I told my lord Burlington that he wanted a

Upon which the little expressed some resentment at me, and said he would taste any spirits, and that he never drank as much as I did. Ever I persisted, and assured my lord Burlington that he could oblige our friend more at that time than by ordering a large quantity of cherry-brandy to be set before him. This was done, and in less than half an hour, while my lord was acquainting us with the air which engaged our attention, Pope had sipped up all his brandy. Pope's frame of body did not promise long life; he certainly hastened his end by feeding much on high-souped dishes, and drinking

prived him of his understanding, I observed, that he was affected by the wine which he drank, about a pint of claret. The next morning, as we were walking together in his garden, he complained much of his head, when I took the liberty to tell him (for I most sincerely loved him) that I was afraid he drank too much wine. He was a little startled, and answered, "that as to his drinking he had always looked on himself as a very temperate man; for he never exceeded the quantity which his physician had allowed and prescribed him." Now his physician never drank less than two bottles of claret after his dinner.

Doctor Swift was always persuaded that the archbishop of York had made impressions on Queen Anne to his disadvantage, and by that means had obstructed his preferment in England; and he has hinted this in his apology for the Tale of the Tub, and in other parts of his works; and yet my lord Bolingbroke, who must have been well informed of this particular, told me that he had been assured by the queen herself, that she never had received any unfavourable character of Dr. Swift, nor had the archbishop, or any other person, endeavoured to lessen him in her esteem. My lord Bolingbroke added, that this tale was invented by the earl of Oxford to deceive Swift, and make him contented with his deanery in Ireland; which, although his native country, he always looked on as a place of banishment. If lord Bolingbroke had hated the earl of Oxford less, I should have been readily inclined to believe him.

SWIFT.

From King's Anecdotes.]

The last time I dined with Swift, which was about twenty years before he fell into the distemper which totally de-

THE REGENT DUKE OF ORLEANS.

[From King's Anecdotes.]

The duke of Orleans, who was regent of France during the minority of the present king Lewis the XVth, was most debauched in his life and abandoned in his morals. And yet he appeared to be a prince of great humanity, and a lover of public justice. When count Horn was sentenced to be broke on the wheel, duke D'Arenberg, and the whole family of Horn, applied to the regent for a pardon. But not succeeding in this attempt, and finding the regent inflexible, they requested that the Count's sentence might only be changed, and to avoid an ignominious death, which would be a lasting stain in the whole family, that he might have the favour of being beheaded. But this likewise the Regent refused, and made this answer: "count Horn is my relation as well as yours: but the infamy is not in the punishment, but in the crime." When the Prince of * * * * solicited the Regent to pardon a murder, which he had committed, after having been pardoned for the same crime once or twice before; "I will pardon you," says the Regent, "but take notice and keep this in your memory, I will certainly pardon the man, whoever he be, that kills you." This monitory had a proper effect, and put a stop to the barbarities of this Bourbon prince, who presumed that his quality of Prince of the blood was a licence for murder. These two answers of the Regent of France deserve to be written in letters of gold.

REPARTÉE OF ATTERBURY.

[From King's Anecdotes.]

Atterbury, bishop of Rochester, when a certain bill was brought into the House of Lords, said among other things, "that he prophesied last winter this bill would be attempted in the present session, and he was sorry to find that he had proved a true prophet." My lord Coningsby, who spoke after the bishop, and always spoke in a passion, desired the house to remark, "that one of the right reverend had set himself forth as a prophet: but for his part he did not know what prophet to liken him to, unless to that furious prophet Balaam, who was reprov'd by his own ass." The bishop in a reply, with great wit and calmness, exposed this rude attack, concluding thus: "since the noble lord hath discovered in our manners such a similitude, I am well content to be compared to the prophet Balaam: but, my lords, I am at a loss how to make out the other part of the parallel: I am sure that I have been reprov'd by nobody but his lordship."

THE PRETENDER.

[From King's Anecdotes.]

September 1750, I received a note from my lady Primrose, who desired to see me immediately. As soon as I waited on her, she led me into her dressing-room, and presented me to ———.* If I was surprised to find him there, I was still more astonished when he acquainted me

* The Pretender.

h the motives which had
 l him to hazard a journey
 and at this juncture. The
 nce of his friends who
 exile had formed a scheme
 was impracticable; but
 h it had been as feasible
 had represented it to
 no preparation had been
 or was any thing ready to
 into execution. He was
 nvinced that he had been
 d, and therefore, after a
 London of five days only,
 rned to the place from
 he came. As I had some
 iversations with him here,
 some years after held a
 t correspondence with
 t indeed by letters but by
 gers, who were occasion-
 patched to him; and as
 his intercourse I informed
 of all particulars relating
 nd of his whole conduct,
 public and private life, I
 haps as well qualified as
 in in England to draw a
 racter of him; and I im-
 is task on myself not only
 information of posterity,
 the sake of many worthy
 en whom I shall leave
 me, who are at present
 d to his name, and who
 rmed their ideas of him
 ublic report, but more
 larly from those great ac-
 which he performed in
 d. As to his person, he
 nd well-made, but stoops
 , owing perhaps to the
 atigue which he underwent
 northern expedition. He
 handsome face and good
 (I think his busts, which
 his time were commonly
 London, are more like
 LXI.

him than any of his pictures
 which I have yet seen;*) but in a
 polite company he would not pass
 for a genteel man. He hath a
 quick apprehension, and speaks
 French, Italian, and English, the
 last with a little of a foreign ac-
 cent. As to the rest, very little
 care seems to have been taken
 of his education. He had not
 made the belles lettres or any of
 the finer arts his study, which
 surprised me much, considering
 his preceptors, and the noble
 opportunities he must have al-
 ways had in that nursery of all
 the elegant and liberal arts and
 science. But I was still more
 astonished, when I found him un-
 acquainted with the history and
 constitution of England, in which
 he ought to have been very early
 instructed. I never heard him
 express any noble or benevolent
 sentiments, the certain indica-
 tions of a great soul and a good
 heart; or discover any sorrow or
 compassion for the misfortunes
 of so many worthy men who had
 suffered in his cause.† But the
 most

* He came one evening to my lodg-
 ings and drank tea with me: my ser-
 vant, after he was gone, said to me,
 "that he thought my new visitor very
 like Prince Charles." "Why," said
 I, "have you ever seen Prince
 Charles?" "No, sir," replied the
 fellow, "but this gentleman, whoever
 he may be, exactly resembles the
 busts which are sold in Red-lion-street,
 and are said to be busts of Prince
 Charles." The truth is, these busts
 were taken in plaster of Paris from
 his face.

† As to his religion, he is certainly
 free from all bigotry and superstition,
 and would readily conform to the reli-
 gion of the country. With the Ca-
 tholics he is a Catholic; with the Pro-

most odious part of his character is his love of money, a vice which I do not remember to have been imputed by our historians to any of his ancestors, and is the certain index of a base and little mind. I know it may be urged in his vindication, that a prince in exile ought to be an economist. And so he ought; but nevertheless his purse should be always open, as long as there is any thing in it to relieve the necessities of his friends and adherents. King Charles the second, during his banishment, would have shared the last pistole in his pocket with his little family. But I have known this gentleman with two thousand Louis-d'ors in his strong box pretend he was in great distress, and borrow money from a lady in Paris, who was not in affluent circumstances. His most faithful servants, who had closely attended him in all his difficulties, were ill rewarded. Two Frenchmen, who had left every thing to follow his fortune who had been sent as couriers through half Europe, and executed their commissions with great punctuality and exactness, were suddenly discharged without any faults imputed to them, or any recompense for their past service. To this spirit of avarice may be added his insolent manner of treating his immediate depend-

testants he is a Protestant; and, to convince the latter of his sincerity, he often carried an English Common Prayer-book in his pocket: and sent to Gordon (whom I have mentioned before), a nonjuring clergyman, to christen the first child he had by Mrs. W.

ants, very unbecoming a great prince, and a sure prognostic of what might be expected from him if ever he acquired sovereign power. Sir J. Harrington, and colonel Goring, who suffered themselves to be imprisoned with him, rather than desert him, when the rest of his family and attendants fled, were afterwards obliged to quit his service on account of his illiberal behaviour. But there is one part of his character, which I must particularly insist on, since it occasioned the defection of the most powerful of his friends and adherents in England, and by some concurring accidents totally blasted all his hopes and pretensions. When he was in Scotland, he had a mistress, whose name is Walkenshaw, and whose sister was at that time, and is still housekeeper at Leicester House. Some years after he was released from his prison, and conducted out of France, he sent for this girl, who soon acquired such a dominion over him, that she was acquainted with all his schemes, and trusted with his most secret correspondence. As soon as this was known in England, all those persons of distinction, who were attached to him, were greatly alarmed; they imagined that this wench had been placed in his family by the English ministers; and, considering her sister's situation, they seemed to have some ground for their suspicion; wherefore they dispatched a gentleman to Paris, where the Prince then was, who had instructions to insist that Mrs. Walkenshaw should be removed to a convent for a certain term; but her gallant absolutely refused

to comply with this demand and although Mr. M'Namara the gentleman who was him, who has a natural ease, and an excellent understanding, urged the most convincing reasons, and used all the persuasion to induce him to leave with his mistress, and succeeded so far as to assure him, according to his intention, that an immediate interruption of all correspondence with his most powerful friends in London, and in short that the sacrifice of his interest, which was daily increasing, would be the probable consequence of his refusal; yet he continued intransigent, and all M'Namara's intreaties and remonstrances were of no avail. M'Namara staid in London one day beyond the time appointed him, endeavouring to persuade the Prince into a better opinion, but finding him obstinate and unyielding, he took his leave with considerable indignation, saying, as he went out, "what has your grace to do, Sir, thus to draw down the vengeance of heaven upon a branch of it through so much folly?" It is worthy of remark that in all the conferences M'Namara had with the Prince on this occasion, the latter observed, that it was not a violation, or indeed any participation,* which attached

him to Mrs. Walkenshaw, and that he could see her removed from him without any concern; but he would not receive directions in respect to his private conduct from any man alive. When M'Namara returned to London, and reported the Prince's answer to the gentlemen who had employed him, they were astonished and confounded. However, they soon resolved on the measures which they were to pursue for the future, and determined no longer to serve a man who could not be persuaded to serve himself, and chose rather to endanger the lives of his best and most faithful friends, than part with an harlot, whom, as he often declared, he neither loved nor esteemed. If ever that old adage *Quos Jupiter vult perdere*, &c. could be properly applied to any person, whom could it so well fit as the gentleman of whom I have been speaking? for it is difficult by any other means to account for such a sudden infatuation. He was, indeed, soon afterwards made sensible of his misconduct, when it was too late to repair it: for from this era may truly be dated the ruin of his cause; which, for the future, can only subsist in the Non-juring congregations, which are generally formed of the meanest people, from whom no danger to the present government need ever be apprehended.

I believe he spoke truth when he said he had no esteem for his mistress, although she has been in London for so many years. She is of a low elegance of manners: and as she both contracted an odious habit of drinking, so they exposed

themselves very frequently, not only to their own family, but to all their neighbours. They often quarrelled and sometimes fought: they were some of these drunken scenes which, probably, occasioned the report of his madness.

apprehended. Before I close this article, I must observe, that during this transaction, my lord M—— was at Paris in the quality of Envoy from the K—— of P——; M——Namara had directions to acquaint him with his commission: my lord M—— not in the least doubting the Prince's compliance with the request of his friends in England, determined to quit the K—— of P——'s service as soon as his embassy was finished, and go into the Prince's family. This would have been a very fortunate circumstance to the Prince on all accounts, but more especially as nothing could be more agreeable to all those persons of figure and distinction, who were at that time so deeply engaged in his cause; for there was not one of all that number who would not have reposed an entire confidence in the honour and discretion of my lord M——. But how was this gentleman amazed, when he perceived the Prince's obstinacy and imprudence? who was resolved, by a strange fatality, to alienate the affections of his best friends, and put an absolute barrier to all his own hopes. From this time my lord M—— would never concern himself in this cause; but prudently embraced the opportunity, through the K—— of P——'s interest of reconciling himself to the English government.

MR. HOWE.

[*From King's Anecdotes.*]

About the year 1706, I knew one Mr. Howe, a sensible well-

natured man, possessed of an estate of 700*l.* or 800*l.* per annum: he married a young lady of a good family in the west of England, her maiden name was Mallet; she was agreeable in her person and manners, and proved a very good wife. Seven or eight years after they had been married, he rose one morning very early, and told his wife he was obliged to go to the Tower to transact some particular business: the same day, at noon, his wife received a note from him, in which he informed her that he was under a necessity of going to Holland, and should probably be absent three weeks or a month. He was absent from her seventeen years, during which time she neither heard from him, nor of him. The evening before he returned, whilst she was at supper, and with her some of her friends and relations, particularly one Dr. Rose, a physician, who had married her sister, a billet, without any name subscribed, was delivered to her, in which the writer requested the favour of her to give him a meeting the next evening in the Birdcage walk, in St. James's Park. When she had read her billet, she tossed it to Dr. Rose, and laughing "You see, brother," said she "as old as I am, I have got a gallant." Rose, who perused the note with more attention, declared it to be Mr. Howe's hand writing; ; this surprised all the company, and so much affected Mrs. Howe, that she fainted away; however, she soon recovered, when it was agreed that Dr. Rose and his wife, with the other gentlemen and ladies who

ver

were then at supper, should attend Mrs. Howe the next evening to the Bird-cage Walk: they had not been there more than five or six minutes, when Mr. Howe came to them, and after saluting his friends, and embracing his wife, walked home with her, and they lived together in great harmony from that time to the day of his death. But the most curious part of my tale remains to be related. When Howe left his wife, they lived in a house in Jermyn-street, near St. James's church; he went no farther than to a little street in Westminster, where he took a room, for which he paid five or six shillings a week, and changing his name, and disguising himself by wearing a black wig (for he was a fair man), he remained in this habitation during the whole time of his absence. He had had two children by his wife when he departed from her, who were both living at that time: but they both died young in a few years after. However, during their lives, the second or third year after their father disappeared, Mrs. Howe was obliged to apply for an act of parliament to procure a proper settlement of her husband's estate, and a provision for herself out of it during his absence, as it was uncertain whether he was alive or dead: this act he suffered to be solicited and passed, and enjoyed the pleasure of reading the progress of it in the votes, in a little coffee-house, near his lodging, which he frequented. Upon his quitting his house and family in the manner I have mentioned,

Mrs. Howe at first imagined, as she could not conceive any other cause for such an abrupt elopement, that he had contracted a large debt unknown to her, and by that means involved himself in difficulties which he could not easily surmount; and for some days she lived in continual apprehensions of demands from creditors, of seizures, executions, &c. But nothing of this kind happened; on the contrary, he did not only leave his estate quite free and unencumbered, but he paid the bills of every tradesman with whom he had any dealings; and upon examining his papers, in due time after he was gone, proper receipts and discharges were found from all persons, whether tradesmen or others, with whom he had any manner of transactions or money concerns. Mrs. Howe, after the death of her children, thought proper to lessen her family of servants, and the expenses of her housekeeping; and therefore removed from her house in Jermyn-street to a little house in Brewer-street, near Golden-square. Just over against her lived one Salt, a cornchandler. About ten years after Howe's abdication, he contrived to make an acquaintance with Salt, and was at length in such a degree of intimacy with him, that he usually dined with Salt once or twice a week. From the room in which they eat, it was not difficult to look into Mrs. Howe's dining-room, where she generally sate and received her company; and Salt, who believed Howe to be a bachelor, frequently recommended his own wife to him as a suitable

able match. During the last seven years of this gentleman's absence, he went every Sunday to St. James's church, and used to sit in Mr. Salt's seat, where he had a view of his wife, but could not easily be seen by her. After he returned home, he never would confess, even to his most intimate friends, what was the real cause of such a singular conduct; apparently, there was none: but whatever it was, he was certainly ashamed to own it. Dr. Rose has often said to me, that he believed his brother Howe* would never have returned to his wife, if the money which he took with him, which was supposed to have been 1,000*l.* or 2,000*l.* had not been all spent: and he must have been a good economist, and frugal in his manner of living, otherwise his money would scarce have held out; for I imagine he had his whole fortune by him, I mean what he carried away with him in money or bank bills, and daily took out of his bag, like the Spaniard in *Gil Blas*, what was sufficient for his expenses.

HORACE WALPOLE.

(*Letters from the Hon. Horace Walpole to the Rev. W. Cole, and others.*)

I have been eagerly reading

* And yet I have seen him after his return addressing his wife in the language of a young bridegroom. And I have been assured by some of his most intimate friends, that he treated her during the rest of their lives with the greatest kindness and affection.

Mr. Shenstone's Letters, which, though containing nothing but trifles, amused me extremely, as they mention so many persons I know; particularly myself. I found there, what I did not know, and what, I believe, Mr. Gray himself never knew, that his ode on my cat was written to ridicule lord Littleton's monody. It is just as true as that the latter will survive, and the former be forgotten. There is another anecdote equally vulgar, and void of truth: that my father, sitting in George's coffee-house (I suppose Mr. Shenstone thought, that, after he quitted his place, he went to coffee-houses to learn news), was asked to contribute to a figure of himself that was to be beheaded by the mob. I do remember something like it, but it happened to myself. I met a mob, just after my father was out, in Hanover-square, and drove up to it to know what was the matter. They were carrying about a figure of my sister. This probably gave rise to the other story. That on my uncle I never heard; but it is a good story, and not at all improbable. I felt great pity on reading these Letters for the narrow circumstances of the author, and the passion for fame that he was tormented with; and yet he had much more fame than his talents intitled him to. Poor man! he wanted to have all the world talk of him for the pretty place he had made; and which he seems to have made only that it might be talked of. The first time a company came to see my house, I felt his joy. I am now so tired

of

that I shudder when the
ings at the gate. It is as
keeping an inn, and I am
tempted to deny its being
if it would not be ill-
d to those that come, and
house-keeper. I own, I
ne day too cross. I had
plagued all the week with
crowds. At last it rained
ge. Well, said I, at last,
will come to-day. The
were scarce uttered, when
ell rang. A company
l to see the house. I re-
Tell them they cannot
y see the house, but they
y welcome to walk in the
.

* * * *

know I shun authors, and
never have been one my-
it obliged me to keep such
company. They are always
rest, and think their pro-
serious, and dwell upon
and reverence learning. I
at all those things, and
only to laugh at them, and
myself. None of us are
s of any consequence; and
he most ridiculous of all
s to be vain of being
re. A page in a great
humbles me to the dust,
re conversation of those
re not superior to myself,
ls me of what will be
it of myself. I blush to
them, or to be flattered by
and should dread letters
published some time or
in which they should relate
sterviews, and we should
like those puny conceited
s in Shenstone's and
s Correspondence, who
hemselves airs from being

in possession of the soil of
Parnassus for the time being; as
peers are proud, because they
enjoy the estates of great men
who went before them. Mr.
Gough is very welcome to see
Strawberry-hill; or I would help
him to any scraps in my posses-
sion, that would assist his publi-
cations; though he is one of
those industrious, who are only
reburying the dead—but I can-
not be acquainted with him. It
is contrary to my system, and my
humour; and, besides, I know
nothing of barrows, and Danish
entrenchments, and Saxon bar-
barisms, and Phœnician charac-
ters—in short, I know nothing of
those ages that knew nothing—
then how should I be of use to
modern litterati? All the Scotch
metaphysicians have sent me
their works. I did not read one
of them, because I do not under-
stand, what is not understood by
those that write about it; and I
did not get acquainted with one
of the writers. I should like to
be intimate with Mr. Anstey,
even though he wrote Lord
Buckhorse, or with the author of
the Heroic Epistle—I have no
thirst to know the rest of my
cotemporaries, from the absurd
bombast of Dr. Johnson down to
the silly Dr. Goldsmith; though
the latter changeling has had
bright gleams of parts, and the
former had sense, till he changed
it for words, and sold it for a
pension. Don't think me scorn-
ful. Recollect that I have seen
Pope, and lived with Gray.

* * * *

From Berkeley castle I went
to Thornbury, of which the ruins
are half ruined. It would have
been

been glorious, if finished. I wish the lords of Berkeley had retained the spirit of deposing till Henry the 8th's time! The situation is fine, though that was not the fashion; for all the windows of the great apartment look into the inner-court. The prospect was left to the servants. Here I had two adventures. I could find nobody to show me about. I saw a paltry house that I took for the sexton's, at the corner of the close, and bade my servant ring, and ask who could show me the castle. A voice in a passion flew from a casement, and issued from a divine. "What! was it his business to show the castle! Go look for somebody else! What did the fellow ring for as if the house was on fire!" The poor Swiss came back in a fright, and said, the doctor had sworn at him. Well—we scrambled over a stone stile, saw a room or two glazed near the gate, and rung at it. A damsel came forth, and satisfied our curiosity. When we had done seeing, I said, "Child, we don't know our way, and want to be directed into the London-road; I see the duke's steward yonder at the window, pray desire him to come to me, that I may consult him." She went—he stood staring at us at the window—and sent his footman. I do not think courtesy is resident at Thornbury. As I returned through the close, the divine came running out of breath, and without his beaver or band, and calls out, "Sir, I am come to justify myself: your servant says I swore at him: I am no swearer—Lord bless me! [dropping his voice] it is Mr.

Walpole!" "Yes, sir, and I think you was lord Beauchamp's tutor at Oxford, but I have forgot your name." "Holwell, sir." "Oh! yes—" and then I comforted him, and laid the ill-breeding on my footman's being a foreigner; but could not help saying, I really had taken his house for the sexton's. "Yes, sir, it is not very good without, won't you please to walk in?" I did, and found the inside ten times worse, and a lean wife suckling a child. He was making an index to Homer, is going to publish the chief beauties, and I believe had just been reading some of the delicate civilities that pass between Agamemnon and Achilles, and that what my servant took for oaths, were only Greek compliments.

I am always intending to draw up an account of my intercourse with Chatterton, which I take very kindly you remind me of, but some avocation or other has still prevented it. My perfect innocence of having indirectly been an ingredient, in his dismal fate, which happened two years after our correspondence, and after he had exhausted both his resources and his constitution, have made it more easy to prove that I never saw him, knew nothing of his ever being in London, and was the first person instead of the last, on whom he had practised his impositions, and founded his chimeric hopes of promotion. My very first, or at least second letter, undeceived him in those views, and our correspondence was broken off before he quitted his master's business

Bristol—so that his
 ent with me was but
 l-success; and he
 incredulity so much,
 r condescended to
 m. Indeed, what I
 w to you, and which
 controverted by a
 loubt, would be suffi-
 tion. I could only
 roofs a vain regret of
 known his distresses,
 nazing genius would
 ed me to relieve,
 ar he had no other
 passion. Mr. Warton
 igh to open the eyes
 that is not greatly
 o his forgeries. Dr.
 who will not make
 Dr. Percy, for not
 lfully blind as him-
 en he gets a beam
 that he takes for
 truth, there is no
 im to submit to be

rrwhit has opened his
 atterton's forgeries,
 instance of conviction
 g prejudice! I have
 an account of my
 with that marvellous
 you shall see it one
 ; but I do not intend
 . I have taken a
 islike to being an
 l if it would not look
 ; you to compliment
 radicting me, I would
 it I am most seriously
 of, that I find what
 of parts I had, grown
 . when I perceive it
 ay well believe that
 d not be less sharp-
 is very natural; mine
 rather than parts;

and as time has abated the one,
 it must surely destroy their re-
 semblance to the other: pray
 don't say a syllable in reply on
 this head, or I shall have done
 exactly what I said I would not
 do. Besides, as you have always
 been too partial to me, I am on
 my guard, and when I will not
 expose myself to my enemies, I
 must not listen to the prejudices
 of my friends; and as nobody is
 more partial to me than you,
 there is nobody I must trust less
 in that respect.

You will be surprised when I
 tell you, that I have only dipped
 into Mr. Bryant's book, and lent
 the dean's before I had cut the
 leaves, though I had peeped into
 it enough to see that I shall not
 read it. Both he and Bryant are
 so diffuse on our antiquated
 literature, that I had rather
 believe in Rowley than go
 through their proofs. Mr. Warton
 and Mr. Tyrwhit have more
 patience, and intend to answer
 them—and so the controversy
 will be two hundred years out of
 my reach. Mr. Bryant, I did
 find, begged a vast many ques-
 tions, which proved to me his
 own doubts. Dr. Glynn's foolish
 evidence made me laugh—and so
 did Mr. Bryant's sensibility *for*
me; he says Chatterton treated
 me very *cruelly* in one of his
 writings. I am sure I did not
 feel it so. I suppose Bryant
 means under the title of Baron of
 Otranto, which is written with
 humour. I must have been the
 sensitive plant if any thing in that
 character had hurt me! Mr.
 Bryant too, and the dean, as I
 see by extracts in the papers,
 have decorated Chatterton with
 sanctimonious

...they do not
the poems in the
and fifty other
parts I did read, &
expected, reasons
staggered me; but
up the poems ca
again, I protest I
smallest air of anti
old words. The w
conceived on ideas o
century. The liber
thinking of a monk s
the reformation is a
—and where he met
Metamorphoses, Ec
plans of Greek trage
even Caxton, a pr
Virgil's *Æneid* for
novelty, are not less
hensible—though on t
I speak at random,
searched for the era
Greek and Latin clas
again to light—at prese
gme long after our Edw
Another thing struck
very cursory notice

ble pillage of Pope
Still the boy re-
ligy, by whatever
cured or produced
rected—and still it
inexplicable how he
or materials for
h miracles.

* * *
mpatient and in as
s you was, dear sir,
lf from the slightest
censuring your
know the sincerity
sted goodness of
nd when I must be
v little certain we all
truth, it would be
otuous to condemn
of any good man,
in old and unalter-
s I have ever found
truction that violent
ciples have drawn
ded country has
ignation. We never
and happy country
ution. The system
tended to overturn
rned that establish-
ought on the dis-
ever attended the
cked councils of the
art. If man is a
, he has a right to
his reason, and to
ty. We, we alone
constitution, that
nation upon earth
ght to envy. This
nd for. I will give
ver descriptions of
ase; that is, the
rties, not the prin-
se cannot change,
lly do, when power
hands of them or
ecause men are cor-

ruptible, which truth is not. But
the more the leaders of a party
dedicated to liberty are apt to
change, the more I adore the
principle, because it shows that
extent of power is not to be
trusted even with those that are
the most sensible of the value of
liberty. Man is a domineering
animal; and it has not only been
my principle, but my practice
too, to quit every body at the
gate of the palace.

* * * * *
I think you take in no news-
papers, nor I believe condescend
to read any more modern than
the *Paris à la Main* at the time of
the *Ligue*—consequently you
have not seen a new scandal on
my father, which you will not
wonder offends me. You can-
not be interested in his defence;
but, as it comprehends some very
curious anecdotes, you will not
grudge my indulging myself to a
friend in vindicating a name so
dear to me.

In the accounts of lady Ches-
terfield's death and fortune, it is
said that the late king, at the in-
stigation of sir R. W. burnt his
father's will, which contained a
large legacy to that his supposed
daughter, and I believe his real
one, for she was very like him, as
her brother, general Schulem-
bourg, is in black to the late
king. The fact of suppressing
the will is indubitably true, the
instigator most false, as I can
demonstrate thus:—

When the news arrived of the
death of George 1st, my father
carried the account from lord
Townshend to the then prince of
Wales. One of the first acts of
royalty is for the new monarch to
make

make a speech to the privy council. Sir Robert asked the king who he will please to have draw the speech, which was, in fact, asking, who was to be prime minister; to which his majesty replied—Sir Spencer Compton. It is a wonderful anecdote, and but little known, that the new premier, a very dull man, could not draw the speech, and the person to whom he applied was the deposed premier. The queen, who favoured my father, observed how unfit a man was for successor, who was reduced to beg assistance of his predecessor. The council met as soon as possible, the next morning at latest. There archbishop Wake, with whom one copy of the will had been deposited (as another was, I think, with the duke of Wolfenbuttle, who had a pension for sacrificing it, which, I know, the late duke of Newcastle transacted), advanced, and delivered the will to the king, who put it into his pocket, and went out of council without opening it, the archbishop not having courage or presence of mind to desire it to be read, as he ought to have done.

These circumstances, which I solemnly assure you are strictly true, prove that my father neither advised, nor was consulted; nor is it credible that the king in one night's time should have passed from the intention of disgracing him, to make him his bosom confident on so delicate an affair.

I was once talking to the late lady Suffolk, the former mistress, on that extraordinary event. She said, "I cannot justify the deed to the legatees, but towards his

father the late king was able; for George the first burnt two wills made in favour of George the 2nd." I saw they were the testaments of the duke and duchess of Zell, of George the first's wife, and the treatment of her they also sented.

I said, I know the transaction of the duke of N. The late Waldegrave showed me a letter from that duke to the first duke of Waldegrave, then ambassador at Paris, with directions about that transaction, or, at least, about payment of the pension, which I have some but cannot turn to it now, a memorandum of that affair, and the prince was, whom I mistake in calling duke of V. buttle. There was a third copy of the will, I likewise forgot whom deposited.

The newspaper says, and is true, that lord Chesterfield brought a bill in chancery against the king to oblige him to produce the will, and was silenced, I think, by the payment of 20,000*l.* This was another legacy to his own son, the queen of Prussia has at times been, and, I think, is still claimed by the king of Prussia.

Do not mention any more of this story, but it is worth serving, as I am sure you will be satisfied with my scrupulous fidelity. It may perhaps be considered hereafter by some as evidence that may come in the true history does not throw light, my father's character have just honour paid to lord Chesterfield, one of his enemies, has not, with all

t a very unfavourable
him, and it would
ised by a comparison
o characters. Think
o calls sir Robert the
of youth, leaving a
education to poison
their nursery! Ches-
alteney and Boling-
the saints that re-
ther!

HICAL ACCOUNT OF
IL LYSONS, ESQ.
Inner Temple, F. R. S.
S. Keeper of his Ma-
records in the Tower of

tleman was born on
1763, at Rodmarton,
ester, of which parish
was rector. He re-
rudiments of his edu-
er private tuition, and
classical studies at the
chool of Bath. Being
r the profession of the
s placed in the office of
s, an eminent solicitor
y, where the peculiar
his mind, and his va-
its, acquired him the
nd esteem of many of
s then occasionally re-
ath.

ber, 1784, he came to
aving been previously
the Inner Temple, and
nced the study of the
Mr. Walton. He then
for several years as a
ader, which was a rea-
e was not called to the
ne, 1798.

he had acquired a com-

petent knowledge of his profes-
sion, other more congenial studies
began at this time to occupy his
attention, and finally led him to
withdraw from its practice. The
favourite and almost exclusive ob-
jects of his researches became
the history and antiquity of his
native country; and few persons
have contributed so much valua-
ble information upon these topics
as those which Mr. Lysons has
collected and made public.

In July, 1796, he was intro-
duced by sir Joseph Banks at
Kew to their majesties and the
royal family, who from that time
continued to honour him by their
frequent notice. In the following
year he was elected a member of
the Royal Society, and was no-
minated vice-president and trea-
surer of that body in the year
1810.

He became a member of the
Society of Antiquaries in 1786,
and continued to fill the office of
director down to the year 1809.

In 1803 he was honoured by
his majesty, upon the death of
Mr. Astle, by the appointment to
the office of keeper of the records
in the Tower of London; and un-
der his direction this office soon
became one of a very important
and interesting nature. Many
interesting documents, connected
with the history as well as the
property of the country, have
been discovered among confused
heaps of unknown records, which
had lain mouldering for ages;
and these have been carefully ex-
amined, sorted, and arranged in
complete order.

In the year 1818, when the ho-
norary office of antiquary profes-

nor was revived in the Royal Academy of Arts, Mr. Lysons was requested, with the approbation of the prince regent, to accept the appointment.

The works he has published are remarkable for the industry and accuracy of information with which they have been compiled. The principal of these are—The Antiquities of Gloucestershire; the Roman Remains discovered by him at Woodchester; a Collection of the Roman Antiquities discovered in various parts of Great Britain. The last and great topographical work, upon which he had for many years employed, in conjunction with his brother, the rev. Daniel Lysons, will probably now be discontinued.

It is worthy of remark, that the whole of the plates in the voluminous work on the Gloucestershire Antiquities, were etched by himself from his own drawings; as were also a very large proportion of the others. His drawings were made with much spirit as well as accuracy.

To his extensive knowledge of British antiquities, Mr. Lysons united great classical learning; and the comprehensive powers of his memory, which enabled him to retain accurately and recall readily, whatever he had heard or read, materially assisted him in his learned labours.

He was never married; but in the several qualities which distinguish a man as a son, brother, and friend, it is impossible to do justice to his amiable and most affectionate disposition.

He died on the 29th of June, at Cirencester, Gloucestershire.

BIOGRAPHICAL MEMO MR. PROFESSOR PLAYFAIR

Mr. Professor Playfair eldest son of the rev. Playfair, a much-respected gyman of the church of S who died in 1772. He was in 1749, at the manse or age-house of Bervie, a village a few miles west from Aberdeen, and was educated in tuition of his father till his twentieth year, when he went to the University of St. Andrews.

Here it soon became known that he gave a decided preference to mathematical pursuits; the age of eighteen he was the friend and companion of James Wilkie, then professor of natural science.

When Mr. Playfair's lectures were finished at St. Andrews he obtained a licence to preach and occasionally assisted his father. At Edinburgh, which he sometimes visited, he became a member of the Speculative Society, where most of the studious men in that capital first exerted their talents in argument and investigation.

His father, when he died, left five sons and two daughters of them under the age of twenty. John Playfair succeeded his father's living of Bervie, thus enabled to maintain a family. He instructed his sons with great care and particularly in mathematics when in straitened circumstances he made great efforts to provide for their intended professions. His mother and two sisters

at Bervie till 1782, when he was appointed tutor to Mr. Ferguson, which gave Mr. Ferguson the opportunity of re-Edinburgh. About that time Professor Ferguson resigned his professorship of moral philosophy to James Stewart, who then held the mathematical class, and Mr. Ferguson became successor to Professor Stewart.

When the Royal Society of Edinburgh was established, he was appointed its first secretary. His labours were incessant; he was a constant contributor to the transactions of the Edinburgh Royal Society, in which his papers are to be found. He also contributed occasionally to the Edinburgh Review. He was also the author of the *Professor Robison*, and the second part of the *Encyclopædia Britannica*.

The works of Mr. Playfair are no less a pure and simple than he was a profound and comprehensive mathematician, and he was at the same time the most agreeable of companions and the most sincere of friends. His great reputation as a mathematician arose principally from his *Elements*, which attracted the attention of the public to an uncommon degree, and placed him at once affable and accessible. As, while yet a young man, he had to support his family, he never entered into the state of matrimony, but he was married to his mother and two daughters in 1805, when his mother and his brothers died in 1794, leaving a young family, which Professor Ferguson took immediately

under his protection; and the liberal and kind manner in which he behaved to them, and to all who depended upon him, is above all praise.

Three years ago he went to visit the Alps and Italy, when his principal object was, geological observation. Soon after his return, his health began to give way. He had for many years been occasionally afflicted with a strangury, which returned in an alarming manner in the end of last June, from which time he continued in great pain. In July he caused his sisters and nephews to be called, and repeated to them every thing which appeared necessary relative to his affairs. On the following day, he almost insensibly breathed his last.

His funeral took place in Edinburgh on July 26, when the ceremony presented a mournful spectacle; at which the Royal Medical Society and a numerous train of friends and acquaintances marched in procession.

A character of professor Playfair, ascribed to the pen of Mr. Jeffrey, has been published. It chiefly dwells upon his anxiety to do *something* to gratify a natural impatience, of which the ingenious writer acknowledged himself but slenderly qualified to judge, but in which he says, that he hazards nothing in declaring him among the most learned mathematicians of his age. The principal matter, however, of Mr. Jeffrey's writing, may be admitted to be the following:—

“ His habits of composition, as we have understood, were not, perhaps, exactly what might have been expected from their results.

He

He wrote rather slowly, and his first sketches were often rather slight and imperfect, like the rude chalking of a masterly picture. His chief effort and greatest pleasure was, in their revisal and correction, and there were no limits to the improvement which resulted from this application. It was not the style merely, or indeed chiefly, that gained by it. The whole reasoning, and sentiment, and illustration, were enlarged and new modelled in the course of it, and a naked outline became gradually informed with life, colour, and expression. It was not at all like the common finishing and polishing to which careful authors generally subject the first drafts of their compositions, nor even like the fastidious and tentative alterations with which some more anxious writers essay their choicest passages. It was, in fact, the great filling in of the picture, the working-up of the figured web on the naked and meagre woof, that had been stretched to receive it; and the singular thing in this case was, not only that he left this most material part of his work to be performed after the whole outline had been finished, but that he could proceed with it to an indefinite extent."

Much more was added to this clause; but we forbear from making any farther addition to a sentiment thus filled by the author's hand.

BIOGRAPHICAL MEMOIR OF
 JAMES WATT, ESQ.

James Watt, esq. was born at Greenock in the year 1736. After

finishing his grammatical in which he laid in a stock of elementary knowledge, apprenticed to what is called the North an instrument whose business consists in and repairing the various machines and articles used in different professions. After three years he removed to Glasgow, and worked some time as a mathematical instrument maker, but having contracted a lameness by sitting in winter at the work-shop, he returned to his native country, where he set up for himself. While thus employed, the professor of natural philosophy in the University of Glasgow engaged him to repair the old marine steam-engine, which by the length of time had grown useless. Watt was much struck by the contrivance, but he perceived defects in it, and he invented it from becoming of general advantage. In the time he devoted himself to the improvement of this engine, particularly with regard to the saving of heat in the cylinder, and condensation of steam, by repeated observations that near four times the quantity of steam was wasted in the piston of that which actuated the machine. He then deavoured to diminish the consumption, and at length succeeded.

This was about the time at which period he married at Glasgow, by whom he had two children. About the year 1788 he was joined by Dr. Hutton, a gentleman of science and property; but their mean

adequate to their objects. In this situation, Mr. Boulton fortunately becoming acquainted with Mr. Watt, instantly made him an offer of partnership, which was accepted, Dr. Roebuck being reimbursed for what he had expended.

Mr. Watt now removed with his family to Birmingham, where he was employed in the most extensive concerns; and for the sale of his engines a patent was obtained, with an act of parliament to prolong its duration. He was also the author of many other inventions, particularly of the copying machine, by the help of which, what has taken a person several hours to write, may be transcribed in a few seconds. Soon after his settlement in Birmingham, having lost his wife, he married Miss M'Gregor, of Glasgow.

Mr. Watt was elected a fellow of the Royal Society of Edinburgh in 1784; of the Royal Society of London in 1785; and a member of the Batavian Society in 1787. In 1806 the honorary degree of Doctor of Laws was conferred upon him by the spontaneous vote of the University of Glasgow; and in 1808 he was elected a member of the National Institute of France.

This truly-great man, by his death has deprived our country of one of its most illustrious ornaments. He may justly be placed at the very head of those philosophers who have improved the condition of mankind by the application of science to the practical purposes of life. His steam-

engine is probably the most perfect production of physical and mechanical skill which the world has yet seen, and certainly far transcends every similar invention. So great was the active power of his mind, that he not only embraced the whole compass of science, but was deeply learned in many departments of literature; and such was the felicity of his memory, that it retained, without effort, all that was confided to it. His manners were marked with the simplicity which generally characterizes exalted merit, and were perfectly free from parade and affectation; and though he could not be unconscious of the eminent rank he held among men of science, yet his character was not debased by the slightest taint of vanity or pride. He had for many years retired from business; but his mind continued actively employed on scientific improvements, among which was, an apparatus for the medical employment of factitious airs.

Having at length attained the age of 84 years, his life was terminated by an easy and tranquil death, on the 25th of August, at his house at Heathfield.

His remains were interred at Handsworth, in Warwickshire. The funeral, according to his own wishes, was a private one; but a numerous assemblage of his friends attended his remains to the grave; among whom were several gentlemen, eminent in science and literature, from distant parts of the kingdom.

THE geographical
Europe naturally div
ritime commerce int
cipal regions; one c
ing those countries w
on the Baltic, the G
the Atlantic oceans
those situated around
terreanean sea. Durin
centuries which pred
discovery of America,
cially the two former
this separation was mor
able than at present, in
their intercourse, eithe
or sea, was extremely
To the first region belo
Netherlands, the coasts
Germany, and Scand
the maritime districts of
In the second we may
provinces of Valencia
lonia, those of Provence
guedoc, and the whole c

1. The former, or
division, was first an
the woollen manuf

STATISTICS AND HISTORY. 467

tled domiciles at Bruges, besides strangers from almost unknown countries who repaired thither. During this war, and on all other occasions, the weavers both of Ghent and Bruges distinguished themselves by a democratical spirit, the consequence no doubt of their numbers and prosperity. Ghent was one of the largest cities in Europe, and in the opinion of many the best situated. But Bruges, though in circuit but half the former, was more splendid in its buildings, and the seat of far more trade; being the great staple both for Mediterranean and northern merchandize. Antwerp, which early in the sixteenth century drew away a large part of this commerce from Bruges, was not considerable in the preceding ages; nor were the towns of Zealand and Holland much noted except for their fisheries, though those provinces acquired in the fifteenth century some share of the woollen manufacture.

For the two first centuries after the conquest, our English towns, as has been observed in a different place, made some forward steps towards improvement, though still very inferior to those of the continent. Their commerce was almost confined to the exportation of wool, the great staple commodity of England, upon which, more than any other, in its raw or manufactured state, our wealth has been founded. A woollen manufacture, however, indisputably existed under Henry 2nd; it is noticed in regulations of Richard 1st; and by the importation of woad under John, it may be inferred to have still flourished. The disturbances of the

next reign, perhaps, or the rapid elevation of the Flemish towns, retarded its growth; though a remarkable law was passed by the Oxford parliament in 1261, prohibiting the export of wool, and the importation of cloth. This, while it shows the deference paid by the discontented barons who predominated in that parliament, to their confederates the burghers, was evidently too premature to be enforced. We may infer from it, however, that cloths were made at home, though not sufficiently for the people's consumption.

Prohibitions of the same nature, though with a different object, were frequently imposed on the trade between England and Flanders by Edward 1, and his son. As their political connexions fluctuated, these princes gave full liberty and settlement to the Flemish merchants, or banished them at once from the country. Nothing could be more injurious to England than this arbitrary vacillation, which, I think, proves Edward 1st to have been a less wise and enlightened sovereign than he has been esteemed. The Flemings were in every respect our natural allies; but besides those connexions with France, the constant enemy of Flanders, into which both the Edwards occasionally fell, a mutual alienation had been produced by the trade of the former people with Scotland, a trade too lucrative to be resigned at the king of England's request. An early instance of that conflicting selfishness of belligerents and neutrals, which was destined to aggravate the animosities and misadventures of our own time!

A more prosperous æra began with Edward 3rd, the father, as he may almost be called, of English commerce, a title, not indeed more glorious, but by which he may perhaps claim more of our gratitude than as the hero of Crecy. In 1331, he took advantage of discontents among the manufacturers of Flanders, to invite them as settlers into his dominions. They brought the finer manufacture of woollen cloths, which had been unknown in England. The discontents alluded to resulted from the monopolizing spirit of their corporations, who oppressed all artisans without the pale of their community. The history of corporations brings home to our minds one cardinal truth, that political institutions have very frequently but a relative and temporary usefulness, and that what forwarded improvement during one part of its course, may prove to it in time a most pernicious obstacle. Corporations in England, we may be sure, wanted nothing of their usual character; and it cost Edward no little trouble to protect his colonists from their selfishness, and from the blind nationality of the vulgar. The emigration of Flemish weavers into England continued during this reign, and we find it mentioned, at intervals, for more than a century.

Commerce now became, next to liberty, the leading object of parliament. Far the greater part of our statutes from the accession of Edward 3rd, bear relation to this subject; not always well devised, or liberal, or consistent, but by no means worse in those respects than such as have been

enacted in subsequent ages. The occupation of a merchant became honourable; and notwithstanding the natural jealousy of the two classes, he was placed in some measure on a footing with landed proprietors. By the statute of apparel, in 37 Edw. 3rd, merchants and artificers who had five hundred pounds value in goods and chattels might use the same dress as squires of one hundred pounds a year. And those who were worth more than this, might dress like men of double that estate. Wool was still the principal article of export, and source of revenue. Subsidies granted by every parliament upon this article were, on account of the scarcity of money, commonly taken in kind. To prevent evasion of this duty seems to have been the principle of those multifarious regulations, which fix the staple, or market for wool, in certain towns, either in England, or, more commonly, on the continent. To these all wool was to be carried, and the tax was there collected. It is not easy, however, to comprehend the drift of all the provisions relating to the staple, many of which tend to benefit foreign at the expense of English merchants. By degrees, the exportation of woollen cloths increased so as to diminish that of the raw material, but the latter was not absolutely prohibited during the period under review; although some restrictions were imposed upon it by Edward 4th. For a much earlier statute, in the 11th of Edward 3rd, making the exportation of wool a capital felony, was in its terms provisional, until it should be other-

wise

wise ordered by the council; and the king almost immediately set it aside.

A manufacturing district, as we see in our own country, sends out, as it were, suckers into all its neighbourhood. Accordingly, the woollen manufacture spread from Flanders along the banks of the Rhine, and into the northern provinces of France. I am not, however, prepared to trace its history in these regions. In Germany, the privileges conceded by Henry 5th, to the free cities, and especially to their artisans, gave a soul to industry; though the central parts of the empire were, for many reasons, very ill calculated for commercial enterprize during the middle ages. But the French towns were never so much emancipated from arbitrary power as those of Germany or Flanders; and the evils of exorbitant taxation, with those produced by the English wars, conspired to retard the advance of manufactures in France. That of linen made some little progress; but this work was still perhaps chiefly confined to the labour of female servants.

The manufactures of Flanders and England found a market, not only in these adjacent countries, but in a part of Europe which for many ages had only been known enough to be dreaded. In the middle of the eleventh century, a native of Bremen, and a writer much superior to most others of his time, was almost entirely ignorant of the geography of the Baltic; doubting whether any one had reached Russia by that sea, and reckoning Esthonia and Cour-

land among its islands. But in one hundred years more, the maritime regions of Mecklenburg and Pomerania, inhabited by a tribe of heathen Sclavonians, were subdued by some German princes; and the Teutonic order some time afterwards, having conquered Prussia, extended a line of at least comparative civilization as far as the gulf of Finland. The first town erected on the coasts of the Baltic was Lubec, which owes its foundation to Adolphus, count of Holstein, in 1140. After several vicissitudes, it became independent of any sovereign but the emperor in the thirteenth century. Hamburg and Bremen, upon the other side of the Cimbric peninsula, emulated the prosperity of Lubec; the former city purchased independence of its bishop in 1225. A colony from Bremen founded Riga in Livonia, about 1192. The city of Dantzic grew into importance about the end of the following century. Konigsberg was founded by Ottocar king of Bohemia in the same age.

But the real importance of these cities is to be dated from their famous union into the Hanseatic confederacy. The origin of this is rather obscure, but it may certainly be nearly referred in point of time to the middle of the thirteenth century, and accounted for by the necessity of mutual defence, which piracy by sea and pillage by land had taught the merchants of Germany. The nobles endeavoured to obstruct the formation of this league, which indeed was in great measure designed to withstand their exactions.

exactions. It powerfully maintained the influence which the free imperial cities were at this time acquiring. Eighty of the most considerable places constituted the Hanseatic confederacy, divided into four colleges, whereof Lubec, Cologne, Brunswic and Dantzic were the leading towns. Lubec held the chief rank, and became, as it were, the patriarchal see of the league; whose province it was to preside in all general discussions for mercantile, political, or military purposes, and to carry them into execution. The league had four principal factories in foreign parts, at London, Bruges, Burgen and Novogorod; endowed by the sovereigns of those cities with considerable privileges, to which every merchant belonging to a Hanseatic town was entitled. In England the German guildhall or factory was established by concession of Henry 3rd; and in later periods, the Hanse traders were favoured above any others in the capricious vacillations of our mercantile policy. The English had also their factories on the Baltic coast as far as Prussia, and in the dominions of Denmark.

This opening of a northern market powerfully accelerated the growth of our own commercial opulence, especially after the woollen manufacture had begun to thrive. From about the middle of the fourteenth century, we find continual evidences of a rapid increase in wealth. Thus, in 1363, Picard, who had been lord mayor some years before, entertained Edw. 3rd, and the Black Prince, the kings of France, Scotland and

Cyprus, with many of the nobility, at his own house in the Vintry, and presented them with handsome gifts. Philpot, another eminent citizen, in Richard 2nd's time, when the trade of England was considerably annoyed by privateers, hired 1,000 armed men, and dispatched them to sea, where they took fifteen Spanish vessels with their prizes. We find Richard obtaining a great deal from private merchants and trading towns. In 1379, he got 5,000*l.* of London, 1,000 marks of Bristol, and in proportion from smaller places. In 1386, London gave 4,000*l.* more, and 10,000 marks in 1397. The latter sum was obtained also for the coronation of Henry 6th. Nor were the contributions of individuals contemptible, considering the high value of money. Hinde, a citizen of London, lent to Henry 4th 2,000*l.* in 1407, and Whittington one half of that sum. The merchants of the staple advanced 4,000*l.* at the same time. Our commerce continued to be regularly and rapidly progressive during the fifteenth century. The famous Canynges of Bristol, under Henry 6th and Edward 4th, had ships of 900 tons burthen. The trade and even the internal wealth of England reached so much higher a pitch in the reign of the last mentioned king than at any former period, that we may perceive the wars of York and Lancaster to have produced no very serious effect on national prosperity. Some battles were doubtless sanguinary; but the loss of lives in battle is soon repaired by a flourishing nation; and the devastation

STATISTICS AND HISTORY. 471

occasioned by armies was partial and transitory.

Commercial intercourse between these northern and southern regions of Europe began in the early part of the fourteenth century, or, at most, a little sooner. Until indeed the Italian magnet was thoroughly attracted, and a competent skill in the architecture, as well as navigation, acquired, the Italian merchants were scarce likely to tempt a voyage perilous in itself and rendered more formidable by the imaginary difficulties which had been supposed to attend an expedition beyond the confines of Hercules. But the English, accustomed to their own seas, were always more independent and probably more skilful sailors. Though it was extremely rare even in the fifteenth century for an English trading vessel to appear in the Mediterranean, yet a famous military expedition, that destined for the service of Richard 1st, displayed from an early time the seamanship of our countrymen. In the reign of Edward 2nd, we find in Rymer's collection of the ships trading to Flanders and England. His son was very anxious to preserve the friendship with that opulent republic; and in his letters to the senate, by royal orders restoring ships seized, that we come by the edge of those facts, which historians neglect relate. Pisa was a little in this traffic, and more considerably; but it was beyond all competition the head of Italian commerce in these seas during the

fourteenth century. In the next, her general decline left it more open to her rival; but I doubt whether Venice ever maintained so strong a connexion with England. Through London, and Bruges, their chief station in Flanders, the merchants of Italy and of Spain transported oriental produce to the farthest parts of the north. The inhabitants of the Baltic coasts were stimulated by the desire of precious luxuries which they had never known; and these wants, though selfish and frivolous, are the means by which nations acquire civility, and the earth is rendered fruitful of its produce. As the carriers of this trade, the Hanseatic merchants resident in England and Flanders derived profits through which eventually of course those countries were enriched. It seems that the Italian vessels unloaded at the marts of London or Bruges, and that such part of their cargoes as were intended for a more northern trade came there into the hands of the German merchants. In the reign of Henry 6th, England carried on a pretty extensive traffic with the countries around the Mediterranean, for whose commodities her wool and woollen cloths enabled her to pay.

The commerce of the southern division, though it did not, I think, produce more extensively beneficial effects upon the progress of society, was both earlier and more splendid than that of England, and the neighbouring countries. Besides Venice, which has been mentioned already, Amalfi kept up the commercial intercourse of Christendom with the

the Saracen countries before the first crusade. It was the singular fate of this city to have filled up the interval between two periods of civilization, in neither of which she was destined to be distinguished. Scarcely known before the end of the sixth century, Amalfi ran a brilliant but short career, as a free and trading republic, which was checked by the arms of a conqueror in the middle of the twelfth. Since her subjugation by Roger king of Sicily, the name of a people who for a while connected Europe with Asia has hardly been repeated, except for two discoveries falsely imputed to them, those of the Pandects and of the compass.

But the decline of Amalfi was amply compensated to the rest of Italy by the constant elevation of Pisa, Genoa, and Venice in the twelfth and ensuing ages. The crusades led immediately to this growing prosperity of the commercial cities. Besides the profit accruing from so many naval armaments which they supplied, and the continual passage of private adventurers in their vessels, they were enabled to open a more extensive channel of oriental traffic than had hitherto been known. These three Italian republics enjoyed immunities in the Christian principalities of Syria; possessing separate quarters in Acre, Tripoli, and other cities, where they were governed by their own laws and magistrates. Though the progress of commerce must, from the condition of European industry, have been slow, it was uninterrupted; and the settlements in Palestine were be-

coming important as factories, an use of which Godfrey and Urban little dreamed, when they were lost through the guilt and imprudence of their inhabitants. Villani laments the injury sustained by commerce in consequence of the capture of Acre, "situated, as it was, on the coast of the Mediterranean, in the centre of Syria, and, as we might say, of the habitable world, a haven for all merchandize, both from the east, and the west, which all the nations of the earth frequented for this trade." But the loss was soon retrieved, not perhaps by Pisa and Genoa, but by Venice, who formed connexions with the Saracen governments, and maintained her commercial intercourse with Syria and Egypt by their licence, though subject probably to heavy exactions. Sanuto, a Venetian author at the beginning of the fourteenth century, has left a curious account of the Levant trade which his countrymen carried on at that time. Their imports it is easy to guess, and it appears that timber, brass, tin, and lead, as well as the precious metals, were exported to Alexandria, besides oil, saffron, and some of the productions of Italy, and even wool and woollen cloths. The European side of the account had therefore become respectable.

The commercial cities enjoyed as great privileges at Constantinople as in Syria, and they bore an eminent part in the vicissitudes of the Eastern empire. After the capture of Constantinople by the Latin crusaders, the Venetians having been concerned in that conquest, became of course the favoured

ed traders under the new
y; possessing their own
t in the city, with their
rate or podesta, appointed
vice, and subject to the pa-
public. When the Greeks
red the seat of their em-
he Genoese, who from jea-
of their rivals had contri-
to that revolution, obtained
immunities. This power-
l enterprizing state, in the
enth century, sometimes
y, sometimes the enemy of
yzantine count, maintained
dependent settlement at

From thence she spread
ails into the Euxine, and,
g a colony at Caffa in the
a, extended a line of com-
with the interior regions
a, which even the skill and
of our own times has not
en able to revive.

French provinces which
on the Mediterranean Sea
k in the advantages which
ed. Not only Marseilles,
trade had continued in a
degree throughout the
ages, but Narbonne, Nis-
and especially Montpellier,
distinguished for commer-
prosperity. A still greater
y prevailed in Catalonia.
the middle of the thirteenth
y (for we need not trace
diments of its history) Bar-
began to emulate the Ita-
ities in both the branches
al energy, war and com-
. Engaged in frequent and
hostilities with Genoa, and
imes with Constantinople,
their vessels traded to
part of the Mediterranean,
zen of the English channel,
Catalans might justly be

reckoned among the first of ma-
ritime nations. The commerce
of Barcelona has never since at-
tained so great a height as in the
fifteenth century.

The introduction of a silk ma-
nufacture at Palermo, by Roger
Guiscard in 1148, gave perhaps
the earliest impulse to the indus-
try of Italy. Nearly about the
same time, the Genoese plundered
two Moorish cities of Spain, from
which they derived the same art.
In the next age, this became a
staple manufacture of the Lom-
bard and Tuscan republics, and
the cultivation of mulberries was
enforced by their laws. Woollen
stuffs, though the trade was per-
haps less conspicuous than that
of Flanders, and though many of
the coarser kinds were imported
from thence, employed a multi-
tude of workmen in Italy, Cata-
lonia, and the south of France.
Among the trading companies
into which the middling ranks
were distributed, those concerned
in silk and woollens were most
numerous and honourable.

A property of a natural sub-
stance, long overlooked even
though it attracted observation
by a different peculiarity, has in-
fluenced by its accidental dis-
covery the fortunes of mankind,
more than all the deductions of
philosophy. It is perhaps impos-
sible to ascertain the epoch when
the polarity of the magnet was
first known in Europe. The com-
mon opinion, which ascribes its
discovery to a citizen of Amalfi
in the fourteenth century, is un-
doubtedly erroneous. Guiot de
Provins, a French poet who lived
about the year 1,200, or at the
latest, under St. Louis, describes
it

it in the most unequivocal language. James de Vitry, a bishop in Palestine, before the middle of the thirteenth century, and Guido Guinizzelli, an Italian poet of the same time, are equally explicit. The French, as well as Italians, claim the discovery as their own; but whether it were due to either of these nations, or rather learned from their intercourse with the Saracens, is not easily to be ascertained. For some time, perhaps, even this wonderful improvement in the art of navigation might not be universally adopted by vessels sailing within the Mediterranean, and accustomed to their old system of observations. But when it became more established, it naturally inspired a more fearless spirit of adventure. It was not, as has been mentioned, till the beginning of the fourteenth century, that the Genoese and other nations around that inland sea steered into the Atlantic ocean towards England and Flanders. This intercourse with the northern countries enlivened their trade with the Levant by the exchange of productions which Spain and Italy do not supply, and enriched the merchants by means of whose capital the exports of London and of Alexandria were conveyed into each other's harbours.

The usual risks of navigation, and those incident to commercial adventure, produce a variety of questions in every system of jurisprudence, which though always to be determined, so far as possible, by principles of natural justice, must in many cases depend upon established customs. These customs of maritime law

were anciently reduced into a code by the Rhodians, and the Roman emperors preserved or reformed the constitutions of that republic. It would be hard to say, how far the tradition of this early jurisprudence survived the decline of commerce in the darker ages; but after it began to recover itself, necessity suggested, or recollection prompted, a scheme of regulations resembling in some degree, but much more enlarged than those of antiquity. This was formed into a written code, *Il Consolato del Mare*, not much earlier, probably, than the middle of the thirteenth century; and its promulgation seems rather to have proceeded from the citizens of Barcelona, than from those of Pisa or Venice, who have also claimed to be the first legislators of the sea. Besides regulations simply mercantile, this system has defined the mutual rights of neutral and belligerent vessels, and thus laid the basis of the positive law of nations in its most important and disputed cases. The king of France and count of Provence solemnly acceded to this maritime code, which hence acquired a binding force within the Mediterranean sea; and in most respects, the law merchant of Europe is at present conformable to its provisions. A set of regulations, chiefly borrowed from the *Consolato*, was compiled in France under the reign of Louis 9th, and prevailed in our own country. These have been denominated the laws of Oleron, from an idle story that they were enacted by Richard 1st, while his expedition to the Holy Land

that island. Nor without its peculiar jurisprudence; finances of Wis- the isle of Goth- y compiled from , before the year the Baltic traders

abundant reason among maritime theory of mutual securing the res, as far as pos- of acknowledged hat state of bar-, which so long rcive authority of , the sea held out otation and more e land; and when egained their so- neither robbery arfare was any , there remained non of mankind, y king, and the sea was another security of plun- e, in a well-armed, ssel, must feel, I njoyments of his m control more n any other free- arting along the ocean, under the ce of the heavens, e dark conceal- ed flights of the His occupation is shed by the civi- er ages, or conclimates. But in nd fourteenth cen- ssel was never se- ick; and neither punishment of the be obtained from

governments, who sometimes feared the plunderer, and some- times connived at the offence. Mere piracy, however, was not the only danger. The maritime towns of Flanders, France and England, like the free republics of Italy, prosecuted their own quarrels by arms, without asking the leave of their respective sovereigns. This practice, exactly analogous to that of private war in the feudal system, more than once involved the kings of France and England in hostility. But where the quarrel did not proceed to such a length as absolutely to engage two opposite towns, a modification of this ancient right of revenge formed part of the regular law of nations, under the name of reprisals. Whoever was plundered or injured by the inhabitant of another town obtained authority from his own magistrates to seize the property of any other person belonging to it, until his loss should be compensated. This law of reprisal was not confined to maritime places. It prevailed in Lombardy, and probably in the German cities. Thus if a citizen of Modena was robbed by a Bolognese, he complained to the magistrates of the former city, who represented the case to those of Bologna, demanding redress. If this were not immediately granted, letters of reprisals were issued, to plunder the territory of Bologna till the injured party should be reimbursed by sale of the spoil. In the laws of Marseilles it is declared, "If a foreigner take any thing from a citizen of Marseilles, and he who has jurisdiction over the said debtor or unjust

unjust taker does not cause right to be done in the same, the rector or consuls, at the petition of the said citizen, shall grant him reprisals upon all the goods of the said debtor or unjust taker, and also upon the goods of others, who are under the jurisdiction of him who ought to do justice, and would not, to the said citizen of Marseilles." Edward 3rd remonstrates, in an instrument published by Rymer, against letters of marque granted by the king of Aragon to one Berenger de la Tone who had been robbed by an English pirate of 2,000*l.*; alleging, that inasmuch as he had always been ready to give redress to the party, it seemed to his counsellors that there was no just cause for reprisals upon the king's or his subject's property. This passage is so far curious, as it asserts the existence of a customary law of nations, the knowledge of which was already a sort of learning. Sir E. Coke speaks of this right of private reprisals, as if it still existed; and it is certainly preserved in an unrepealed statute.

A practice founded on the same principles as reprisal, though rather less violent, was that of attaching the goods or persons of resident foreigners for the debts of their countrymen. This indeed in England, was not confined to foreigners until the statute of Westminster 1, c. 23, which enacts that "no stranger who is of this realm shall be distrained in any town or market for a debt wherein he is neither principal nor surety." Henry 3rd had previously granted a charter to the burgesses of Lubec, that,

they should not be answerable for the debt of any of their men, unless the magistrates of Lubec neglected to come to the payment. But by a variety of statutes from Edward 2nd, the rights of English subjects were extended to most foreign countries. This unjust responsibility has been confined to civil cases of a company of Italian merchants, the Spini, having a man, the officers of justice, the bodies and effects at rest.

If under all these circumstances, whether created by manners, by national laws, or by the fraudulent and oppressive measures of princes, the manners of different countries came so opulent as to rival the ancient nobility, it may be ascribed to the growth of their commercial and trading companies, rather than to a positive or a violent monopoly, and held the key to the progress of the eastern regions, for the improvement of manners produced an increasing demand. It is difficult to determine the average interest of money was exorbitant high throughout the middle ages. At Verona, in 1228, it was by law at twelve and a half per cent; at Modena, in 1250, it seems to have been at twenty. The republic of Venice, towards the end of the fifteenth century, when Italy had become wealthy, paid only from ten per cent to her subjects. But in France and England, the rate was far more or

STATISTICS AND HISTORY. 477

ance of Philip the Fair allows twenty per cent the first year of the loan. Henry 3rd, according to Paris, the debtor paid interest every two months, an absolutely incredible financial practice. This was owing to scarcity of money, but to the discouragement of a strange prejudice to one of the most legitimate branches of commerce. Usury, or lending for profit, was treated as a crime by the theologians of the times; and though the superstition has been eradicated, it was the result of the prejudice of our legislation. This money, and indeed a great part of inland trade in general, originally fallen to the Jews, were noted for their industry early as the sixth century, and several subsequent ages continued to employ their industry to the same purpose, with little molestation from the clergy, who always tolerated their avowed and national industry, and often with some benefit from princes. In the thirteenth century we find them possessed of landed property in Languedoc, and cultivated the studies of medicine and medical literature in their university at Montpellier under the protection of the count of Toulouse, but invested with the king. Raymond Roger, count of Carcassonne, directs his bailiffs Christian to his bailiffs Christian to his bailiffs Christian." It was one of the laws imposed by the church on the count of Toulouse, that he should allow no Jews to pos-

sess magistracy in his dominions. In Spain they were placed by some of the municipal laws on the footing of Christians, with respect to the composition for their lives, and seem in no other European country to have been so numerous or considerable. The diligence and expertness of this people in all pecuniary dealings recommended them to princes who were solicitous about the improvement of their revenue. We find an article in the general charter of privileges granted by Peter 3rd of Arragon, in 1283, that no Jew should hold the office of bayle or judge. And two kings of Castile, Alonso 11, and Peter the Cruel, incurred much odium by employing Jewish ministers in their treasury. But, in other parts of Europe, their condition had, before that time, begun to change for the worse; partly from the fanatical spirit of the crusades, which prompted the populace to massacre, and partly from the jealousy which their opulence excited. Kings, in order to gain money and popularity at once, abolished the debts due to the children of Israel, except a part which they retained as the price of their bounty. One is at a loss to conceive the process of reasoning in an ordinance of St. Louis, where, "for the salvation of his own soul and those of his ancestors, he releases to all Christians a third part of what was owing by them to Jews." Not content with such edicts, the kings of France sometimes banished the whole nation from their dominions, seizing their effects at the same time; and a season of alternate severity and toleration

toleration continued till, under Charles 6th, they were finally expelled from the kingdom, where they never afterwards possessed any legal settlement. In England they were not so harshly treated; but they became less remarkable for riches after the thirteenth century. This decline of the Jews was owing to the transference of their trade in money to other hands. In the early part of the thirteenth century the merchants of Lombardy and of the south of France took up the business of remitting money by bills of exchange, and of making profit upon loans. The utility of this was found so great, especially by the Italian clergy, who thus in an easy manner drew the income of their transalpine benefices, that in spite of much obloquy, the Lombard usurers established themselves in every country; and the general progress of commerce wore off the bigotry that had obstructed their reception. A distinction was made between moderate and exorbitant interest; and though the casuists did not acquiesce in this legal regulation, yet it satisfied, even in superstitious times, the consciences of provident traders. The Italian bankers were frequently allowed to farm the customs in England, as a security, perhaps, for loans which were not very punctually repaid. In 1345 the Bardi at Florence, the greatest company in Italy, became bankrupt, Edward 3rd owing them, in principal and interest, 900,000 gold florins. Another, the Peruzzi, failed at the same time, being creditors to Edward for 600,000 florins. The

king of Sicily owed florins to each of these. Their failure involved, a multitude of Florentines, and was a heavy loss to the state.

The earliest bank constituted for the account of private merchants, have been that of Banco di San Giorgio, 1401. The banks of Venice and Genoa were of a different origin. Although the Venetian has the greater antiquity, has been longer formed, as we are told, in the twelfth century, yet its history is not so clear. Genoa, nor its political constitution so remarkable, similar might be its origin. The wars of Genoa in the thirteenth century, she had accumulated large sums of private capital, from whom the revenues were levied for repayment. The Republic of Florence had set a recent example, not a very encouraging one, of a public loan, to defray the expense of her war against the Visconti della Scala, in 1427. The chief mercantile firms, and the individual citizens, contributed money on an assignment of taxes, receiving fifteen per cent interest; which appeared to be above the rate of usury. The state was not so reasonably considered a debtor than some of her neighbours; for in a few years the debt was consolidated into a fund, or *monte*, with a deduction from the capital, and a diminution of interest. The original debt of one million florins sold only for three hundred. But I have not found

formed at Florence a body, or took any part, in the affairs of the republic. The case was different. As a security at least interest, the subscribers' loans were permitted to be produce of the taxes on their own collectors, paying them into the treasury. The various and distinct classes of subscribers becoming at inconvenient, they were about the year 1407, a single corporation, called the bank of St. George, which at that time the sole creditor and mortgagee. The government of this was entrusted to eight protectors. It became almost independent of the state. Every senator, on admission, swore to maintain the privileges of the bank, which were confirmed by the pope, and the emperor. The bank received its advice in every matter of government, and gave as is admitted, to the state an advantage. It equipped its fleets at its own expense, which subdued the island of Sicily; and this acquisition, the source of our great Indian empire, was long subject to the dominion of merchants, without the interference of the mother

Increasing wealth of Europe, whether derived from improvement, or foreign commerce, displayed itself in expensive consumption, and later refinements of domestic life. But these effects for a long time very gradually made a generation making a step in the progress, which

are hardly discernible except by an attentive inquirer. It is not till the latter half of the thirteenth century, that an accelerated impulse appears to be given to society. The just government and suppression of disorder under St. Louis, and the peaceful temper of his brother Alfonso, count of Toulouse and Poitou, gave France leisure to avail herself of her admirable fertility. England, that to a soil not perhaps inferior to that of France, united the inestimable advantage of an insular position, and was invigorated, above all, by her free constitution, and the steady industriousness of her people, rose with a pretty uniform motion from the time of Edward 1. Italy, though the better days of freedom had passed away in most of her republics, made a rapid transition from simplicity to refinement. "In those times," says a writer about the year 1300, speaking of the age of Frederic 2nd, "the manners of the Italians were rude. A man and his wife ate off the same plate. There were no wooden handled knives, nor more than one or two drinking cups, in a house. Candles of wax or tallow were unknown; a servant held a torch during supper. The clothes of men were of leather unlined: scarcely any gold or silver was seen on their dress. The common people ate flesh but three times a week, and kept their cold meat for supper. Many did not drink wine in summer. A small stock of corn seemed riches. The portions of women were small; their dress, even after marriage, was simple. The pride of men was to be well provided

vided with arms and horses; that of the nobility to have lofty towers, of which all the cities in Italy were full. But now frugality has been changed for sumptuousness; every thing exquisite is sought after in dress; gold, silver, pearls, silks, and rich furs. Foreign wines and rich meats are required. Hence usury, rapine, fraud, tyranny, &c." This passage is supported by other testimonies nearly of the same time. The conquest of Naples by Charles of Anjou, in 1266, seems to have been the epoch of increasing luxury throughout Italy. His Provençal knights, with their plumed helmets and golden collars, the chariot of his queen covered with blue velvet, and sprinkled with lilies of gold, astonished the citizens of Naples. Provence had enjoyed a long tranquillity, the natural source of luxurious magnificence; and Italy, now liberated from the yoke of the empire, soon reaped the same fruit of a condition more easy and peaceful than had been her lot for several ages. Dante speaks of the change of manners at Florence, from simplicity and virtue to refinement and dissoluteness, in terms very nearly similar to those quoted above.

Throughout the fourteenth century, there continued to be a rapid but steady progression in England, of what we may denominate elegance, improvement, or luxury; and if this was for a time suspended in France, it must be ascribed to the unusual calamities which befell that country under Philip of Valois and his son. Just before the break-

ing out of the English an excessive fondness for is said to have distinguished only the higher ranks, but burghers, whose foolish imitation at least indicates the circumstances. Modes of hardly perhaps deserve notice on their own account; far as their universal prevalence was a symptom of diffused wealth, we should not overlook either the invectives bestowed by the clergy on the fantastic extravagant fashion, or the sumptuary laws by which it was endeavoured to restrain them.

The principle of sumptuary laws was partly derived from small republics of antiquity, which might perhaps require security for public spirit and equal rights; partly from the austere and injudicious prejudices of religion disseminated by the clergy. These prejudices tended to render all increase of comforts odious under the name of luxury; and a third principle more powerful than either, the jealousy with which the great regard any thing like imitation those beneath them, co-operated to produce a sort of reaction in the laws of Europe. Many of these regulations are now obsolete; but the chief principles enacted, both in France and England, during the fourteenth century; extending to expence at the table, as well as of dress. The first statute of this kind in our own country, however, repealed the ancient and subsequent provisions entirely disregarded by the moderns, which valued liberty

STATISTICS AND HISTORY. 481

o much to obey laws in a spirit hostile to laws indeed designed by governments to restrain the licence of their subjects justify the severe indignant Adam Smith has on all such interference waste expenditure. The

France and England undoubtedly more egregious than any others in nations; and contributed by their love of pageantry a taste for dissipation people than by their desire to repress it.

, an historian of Placis left a pretty copious of the prevailing manner his countrymen about and expressly contrasts the luxurious living with of their ancestors seems before; when, as we, they had already made noble steps towards re-

This passage is highly good; because it shows the error of domestic economy in an Italian city, rather the display of individual licence, as in most of the effected by our own and rich antiquaries. But it too long for insertion in the text. No other country, could exhibit so fair a middle life: in France and even the inferior were for the most part in poverty at this period, only concealed by an affectation of ornament; while our yeomanry and tradesmen were anxious to invigorate their lives by a generous diet, dwell in well-furnished

.XI.

houses, or to find comfort in cleanliness and elegance. The German cities however had acquired with liberty the spirit of improvement and industry. From the time that Henry 5th admitted their artisans to the privileges of free burghers, they became more and more prosperous; while the steadiness and frugality of the German character compensated for some disadvantages arising out of their inland situation. Spire, Nuremberg, Ratisbon, and Augsburg, were not indeed like the rich markets of London and Bruges, nor could their burghers rival the princely merchants of Italy; but they enjoyed the blessings of competence diffused over a large class of industrious freemen, and, in the fifteenth century, one of the politest Italians could extol their splendid and well-furnished dwellings, their rich apparel, their easy and affluent mode of living, the security of their rights, and just equality of their laws.

No chapter in the history of national manners would illustrate so well, if duly executed, the progress of social life, as that dedicated to domestic architecture. The fashions of dress and of amusements are generally capricious and irreducible to rule; but every change in the dwellings of mankind, from the rudest wooden cabin to the stately mansion, has been dictated by some principle of convenience, neatness, comfort or magnificence. Yet this most interesting field of research has been less beaten by our antiquaries than others comparatively barren. I do not pretend to a complete knowledge of what has been

and by the second
Essays on Ancient
Archæologia. Of
make free use in
paragraphs.

The most ancient
which we can trace
after the departure
mans, were circular
great size, whereof
in Scotland; erected
natural eminence, or
ficial mound of earth.
Conisborough Castle
shire, and Castleton
shire, built perhaps
conquest. To the lo
bers of those gloomy k
was no admission of li
except through long na
holes, and an aperture in
Regular windows were
the upper apartments.
not for the vast thickne
walls, and some marks
tion both to convenience
coration in these struct
might

STATISTICS AND HISTORY. 483

, but subsequent enlargements have rendered caution necessary to distinguish their originals. "The odd mixture," says Mr. King, "of convenience and magnificence with designs for protection and defence, and with the incongruities of the former confined to a close fortress, is very striking." The provisions for defence became now, however, more than nugatory; large windows, like those of castles, were introduced into the walls, and this change in architecture manifestly bears witness to the cessation of baronial wars, and the increasing love of splendour in the reign of Edward 3rd.

These succeeded the castles of the fifteenth century, such as Herstmonceux in Sussex.

Haddon Hall in Derbyshire and the older part of Dover Castle in Kent. They resembled fortified castles in their gate-ways, their turrets and battlements, to erect which a licence was necessary, and their defensive strength could not be availed against a sudden assault or attempt at forcible possession. They were always surrounded by one or two courts within the circumference of the wall. When there were two, the inner was occupied by the offices and the kitchen, that of the service by the state-apartments. The quadrangular houses, not only in the same age, and under the same style of domestic architecture. The quadrangular houses, as well from security and defence, as from imitation of

conventual houses, which were always constructed upon that model, was generally preferred; even where the dwelling-house, as indeed was usual, only took up one side of the enclosure, and the remaining three contained the offices, stables, and farm-buildings with walls of communication. Several very old parsonages appear to have been built in this manner. It is, however, very difficult to discover any fragments of houses inhabited by the gentry, before the reign, at soonest, of Edward 3rd, or even to trace them by engravings in the older topographical works; not only from the dilapidations of time, but because very few considerable mansions had been erected by that class. A great part of England affords no stone fit for building; and the vast, though unfortunately not inexhaustible, resources of her oak forests were easily applied to less durable and magnificent structures. A frame of massive timber, independent of walls, and resembling the inverted hull of a large ship, formed the skeleton, as it were, of an ancient hall; the principal beams springing from the ground naturally curved, and forming a Gothic arch overhead. The intervals of these were filled up with horizontal planks; but in the earlier buildings, at least in some districts, no part of the walls was of stone. Stone houses however are mentioned as belonging to citizens of London, even in the reign of Henry 2nd; and, though not often perhaps regularly hewn stones, yet those scattered over the soil, or dug from flint quarries, bound together with a very strong and durable

durable cement, were employed in the construction of manerial houses, especially in the western counties, and other parts where that material is easily procured. Gradually even in timber buildings, the intervals of the main beams, which now became perpendicular, not throwing off their curved springers till they reached a considerable height, were occupied by stone walls, or, where stone was expensive, by mortar or plaster, intersected by horizontal or diagonal beams, grooved into the principal piers. This mode of building continued for a long time, and is still familiar to our eyes in the older streets of the metropolis and other towns, and in many parts of the country. Early in the fourteenth century, the art of building with brick, which had been lost since the Roman dominion, was introduced probably from Flanders. Though several edifices of that age are constructed with this material, it did not come into general use till the reign of Henry 6th. Many considerable houses as well as public buildings were erected with bricks during his reign and that of Edward 4th, chiefly in the eastern countries, where the deficiency of stone was most experienced. Few, if any, brick mansion houses of the fifteenth century exist, except in a dilapidated state; but Queen's college and Clare-hall at Cambridge, and part of Eton college, are subsisting witnesses to the durability of the material as it was then employed.

It is an error to suppose, that the English gentry were lodged

in stately or even in well-sized houses. Generally speaking, their dwellings were almost as inferior to those of their descendants in capacity, as they were in convenience. The usual arrangement consisted of an entrance-passage running through the house, with a hall on one side, a parlour beyond, and one or two chambers above, and on the opposite side, a kitchen, pantry and other offices. Such was the ordinary manor-house of the fifteenth and sixteenth centuries, as appears not only from documents and engravings, but, as to the latter period from the buildings themselves, sometimes, though not very frequently, occupied by families of consideration, more often converted into farm-houses, or distinct tenements. Larger structures were erected by men of great estates during the reigns of Henry 6th and Edward 4th; but very few can be traced higher; and such has been the effect of time, still more through the advance or decline of families, and the progress of architectural improvement, than the natural decay of these buildings, that I should conceive it difficult to name a house in England, still inhabited by a gentleman, and not belonging to the order of castles, the principal apartments of which are older than the reign of Henry 7th. The instances at least must be extremely few.

France by no means appears to have made a greater progress than our own country in domestic architecture. Except fortified castles, I do not find in the work of a very miscellaneous, but apparently

parently diligent writer, any considerable dwellings mentioned before the reign of Charles 7th, and very few of so early a date. Jacques Cœur, a famous merchant unjustly persecuted by that prince, had a handsome house at Paris, as well as another at Beaumont-sur-Oise. It is obvious that the long calamities which France endured before the expulsion of the English must have retarded this eminent branch of national improvement.

Even in Italy, where from the rise of her cities, and social refinements of her inhabitants, greater elegance and splendor in building were justly to be expected, the domestic architecture of the middle ages did not attain any perfection. In several towns, the houses were covered with thatch, and suffered consequently from destructive fires. Costanzo, a Neapolitan historian near the end of the sixteenth century remarks the change of manners that had occurred since the reign of Joanna 2nd one hundred and fifty years before. The great families under the queen expended all their wealth on their retainers, and placed their chief pride in bringing them into the field. They were ill lodged, not sumptuously clothed, not luxurious in their tables. The house of Caracciolo, high steward of that princess, one of the most powerful subjects that ever existed, having fallen into the hands of persons incomparably below his station, had been enlarged by them, as insufficient for their accommodation. If such were the case in the city of Naples so late as the

beginning of the fifteenth century, we may guess how mean were the habitations in less polished parts of Europe.

The two most essential improvements in architecture during this period, one of which had been missed by the sagacity of Greece and Rome, were chimneys and glass-windows. Nothing apparently can be more simple than the former; yet the wisdom of ancient times had been content to let the smoke escape by an aperture in the centre of the roof; and a discovery, of which Vitruvius had not a glimpse, was made, perhaps in this country, by some forgotten semi-barbarian. About the middle of the fourteenth century, the use of chimneys is distinctly mentioned in England and in Italy; but they are found in several of our castles which bear a much older date. This country seems to have lost very early the art of making glass, which was preserved in France, whence artificers were brought into England to furnish the windows of some new churches in the seventh century. It is said that in the reign of Henry 3rd, a few ecclesiastical buildings had glazed windows. Suger, however, a century before, had adorned his great work, the abbey of St. Denis, with windows, not only glazed, but painted; and I presume that other churches of the same class, both in France and England, especially after the lancet-shaped window had yielded to one of ampler dimensions, were generally decorated in a similar manner. Yet glass is said not to have been employed in the domestic

domestic architecture of France before the fourteenth century; and its introduction into England was probably by no means earlier. Nor indeed did it come into general use during the period of the middle ages. Glazed windows were considered as moveable furniture, and probably bore a high price. When the earls of Northumberland, as late as the reign of Elizabeth, left Alnwick castle, the windows were taken out of their frames, and carefully laid by.

But if the domestic buildings of the fifteenth century would not seem very spacious or convenient at present, far less would this luxurious generation be content with their internal accommodations. A gentleman's house containing three or four beds was extraordinarily well provided; few probably had more than two. The walls were commonly bare, without wainscot or even plaster; except that some great houses were furnished with hangings, and that perhaps hardly so soon as the reign of Edward 4th. It is unnecessary to add, that neither libraries of books nor pictures could have found a place among furniture. Silver plate was very rare, and hardly used for the table. A few inventories of furniture that still remain exhibit a miserable deficiency. And this was incomparably greater in private gentlemen's houses than among citizens, and especially foreign merchants. We have an inventory of the goods belonging to Contarini, a rich Venetian trader, at his house in St. Botolph's lane, A. D. 1481. There appear to have been not less than

ten beds, and glass windows are specially noticed as moveable furniture. No mention however is made of chairs or looking-glasses. If we compare this account, however trifling in our estimation, with a similar inventory of furniture in Skipton-castle, the great honour of the earls of Cumberland, and among the most splendid mansions of the north, not at the same period, for I have not found any inventory of a nobleman's furniture so ancient, but in 1572, after almost a century of continual improvement, we shall be astonished at the inferior provision of the baronial residence. There were not more than seven or eight beds in this great castle; nor had any of the chambers either chairs, glasses, or carpets. It is in this sense, probably, that we must understand *Æneas Sylvius*, if he meant any thing more than to express a traveller's discontent, when he declares that the kings of Scotland would rejoice to be as well lodged as the second class of citizens at Nuremberg. Few burghers of that town had mansions, I presume, equal to the palaces of Dumferlin or Stirling, but it is not unlikely that they were better furnished.

In the construction of farm-houses and cottages, especially the latter, there have probably been fewer changes; and those it would be more difficult to follow. No building of this class can be supposed to exist of the antiquity to which the present work is confined; and I do not know that we have any document as to the inferior architecture of England, so valuable as one which M. de Paulmy has quoted for

for that of France, though perhaps more strictly applicable to Italy, an illuminated manuscript of the fourteenth century, being a translation of Crescentio's work on agriculture, illustrating the customs, and, among other things, the habitations of the agricultural class. According to Paulmy, there is no other difference between an ancient and a modern farm-house, than arises from the introduction of tiled roofs. In the original work of Crescentio, a native of Bologna, who composed this treatise on rural affairs about the year 1300, an Italian farm-house, when built at least according to his plan, appears to have been commodious both in size and arrangement. Cottages in England seem to have generally consisted of a single room without division of stories. Chimneys were unknown in such dwellings till the early part of Elizabeth's reign, when a very rapid and sensible improvement took place in the comforts of our yeomanry and cottagers.

It must be remembered, that I have introduced this disadvantageous representation of civil architecture, as a proof of general poverty and backwardness in the refinements of life. Considered in its higher departments, that art is the principal boast of the middle ages. The common buildings, especially those of a public kind, were constructed with skill and attention to durability. The castellated style displays these qualities in greater perfection; the means are well adapted to their objects, and its imposing grandeur, though chiefly resulting no doubt from massive-

ness and historical association, sometimes indicates a degree of architectural genius in the conception. But the most remarkable works of this art are the religious edifices erected in the twelfth and three following centuries. These structures, uniting sublimity in general composition with the beauties of variety and form, intricacy of parts, skilful or at least fortunate effects of shadow and light, and in some instances with extraordinary mechanical science, are naturally apt to lead those antiquaries who are most conversant with them into too partial estimates of the times wherein they were founded. They certainly are accustomed to behold the fairest side of the picture. It was the favourite and most honourable employment of ecclesiastical wealth, to erect, to enlarge, to repair, to decorate cathedral and conventual churches. An immense capital must have been expended upon these buildings in England between the Conquest and the Reformation. And it is pleasing to observe how the seeds of genius, hidden as it were under the frost of that dreary winter, began to bud to the first sunshine of encouragement. In the darkest period of the middle age, especially after the Scandinavian incursions into France and England, ecclesiastical architecture, though always far more advanced than any other art, bespoke the rudeness and poverty of the times. It began towards the latter part of the eleventh century, when tranquillity, at least from foreign enemies, was restored, and some degree of learning re-appeared, to

assume

assume a more noble appearance. The Anglo-Norman cathedrals were perhaps as much distinguished above other works of man in their own age, as the more splendid edifices of a later period. The science manifested in them is not however very great; and their style, though by no means destitute of lesser beauties, is upon the whole an awkward imitation of Roman architecture, or perhaps more immediately of the Saracenic buildings in Spain, and those of the lower Greek empire. But about the middle of the twelfth century, this manner began to give place to what is improperly denominated the Gothic architecture; of which the pointed arch, formed by the segments of two intersecting semicircles, struck from points equidistant from the centre of a common diameter, has been deemed the essential characteristic. We are not concerned at present to inquire, whether this style originated in France or Germany, Italy or England, since it was certainly almost simultaneous in all these countries; nor from what source it was derived; a question of no small difficulty. I would only venture to remark, that whatever may be thought of the origin of the pointed arch, for which there is more than one mode of accounting, we must perceive a very oriental character in the vast profusion of ornament, especially on the exterior surface, which is as distinguishing a mark of Gothic buildings as their arches, and contributes in an eminent degree both to their beauties and their defects. This indeed is rather applicable

to the later than the earlier stage of architecture, and rather to continental than English churches. Amiens is in a far more florid style than Salisbury, though a contemporary structure. The Gothic species of architecture is thought by some to have reached its perfection, considered as an object of taste, by the middle of the fourteenth century, or at least to have lost something of its excellence by the corresponding part of the next age; an effect of its early and rapid cultivation, since arts appear to have, like individuals, their natural progress and decay. Yet this seems, if true at all, only applicable to England; since the cathedrals of Cologne and Milan, probably the most distinguished monuments of this architecture, are both of the fifteenth century. The mechanical execution, at least, continued to improve, and is so far beyond the apparent intellectual powers of those times, that some have ascribed the principal ecclesiastical structures to the fraternity of freemasons, depositaries of a concealed and traditional science. There is probably some ground for this opinion; and the earlier archives of that mysterious association, if they existed, might illustrate the progress of Gothic architecture, and perhaps reveal its origin. The remarkable change into this new style, that was almost contemporaneous in every part of Europe, cannot be explained by any local circumstances, or the capricious taste of a single nation.

It would be a pleasing task to trace with satisfactory exactness the

STATISTICS AND HISTORY. 489

low, and almost perhaps incredible progress of agriculture internal improvement during latter period of the middle

But no diligence could ever the unrecorded history single village; though considerable attention has of late been paid to this interesting subject by those antiquaries, who, though sometimes affecting to despise the lights of modern philosophy, are unconsciously aided by their effulgence. I

have already adverted to the wretched condition of agriculture and the prevalence of feudal estates, as well as before their general establishment. Yet even in the least civilized ages, there were not wanting partial encouragements to cultivation, and the ennobling principle of humanity struggled against destructive revolutions and barbarous disorder. The devastation wrought from the fifth to the eleventh

century rendered land the most costly of all gifts, though it could never be the most truly valuable and permanent. Many of the grants to monasteries, which were as enormous, were of lands absolutely wasted, which could probably have been redeemed by no other means. We find the agricultural restoration of the great part of Europe to the same state. They chose, for the place of retirement, secluded regions which they cultivated with the labour of their hands. Several charters are extant, granted in fiefs, and sometimes to the gift of lands which they had redeemed from a desert condition, the ravages of the Saracens.

These districts were allotted to a

body of Spanish colonists, who emigrated, in the reign of Louis the Debonair, in search of a Christian sovereign. Nor is this the only instance of agricultural colonies. Charlemagne transplanted part of his conquered Saxons into Flanders, a country at that time almost unpeopled; and at a much later period, there was a remarkable reflux from the same country, or rather from Holland, to the coasts of the Baltic sea. In the twelfth century, great numbers of Dutch colonists settled along the whole line between the Ems and the Vistula. They obtained grants of uncultivated land on condition of fixed rents, and were governed by their own laws under magistrates of their election.

There cannot be a more striking proof of the low condition of English agriculture in the eleventh century, than is exhibited by Domesday book. Though almost all England had been partially cultivated, and we find nearly the same manors, except in the north, which exist at present, yet the value and extent of cultivated ground are inconceivably small. With every allowance for the inaccuracies and partialities of those by whom that famous survey was completed, we are lost in amazement at the constant recurrence of two or three carucates in demesne, with folklands occupied by ten or a dozen villeins, valued all together at forty shillings, as the return of a manor, which now would yield a competent income to a gentleman. If Domesday book can be considered as even approaching to accuracy in respect of these estimates,

estimates, agriculture must certainly have made a very material progress in the four succeeding centuries. This however is rendered probable by other documents. Ingulfus, abbot of Croyland under the conqueror, supplies an early and interesting evidence of improvement. Richard de Rules, lord of Deeping, he tells us, being fond of agriculture, obtained permission from the abbey to inclose a large portion of marsh for the purpose of separate pasture, excluding the Welland by a strong dike, upon which he erected a town, and rendering those stagnant fens a garden of Eden. In imitation of this spirited cultivator, the inhabitants of Spalding and some neighbouring villages, by a common resolution divided their marshes amongst them; when some converting them to tillage, some reserving them for meadow, others leaving them in pasture, found a rich soil for every purpose. The abbey of Croyland and villages in that neighbourhood followed this example. This early instance of parochial inclosure is not to be overlooked in the history of social progress. By the statute of Merton, in the 20th of Henry 3rd the lord is permitted to approve, that is to inclose, the waste lands of his manor, provided he leave sufficient common of pasture for the freeholders. Higden, a writer who lived about the time of Richard 2nd, says, in reference to the number of hydes and villis of England at the conquest, that by clearing of woods, and ploughing up wastes, there were many more of each in his age than

formerly. And it might be easily presumed, independently of proof, that woods were cleared, marshes drained, and wastes brought into tillage, during the long period that the house of Plantagenet sat on the throne. From manerial surveys indeed and similar instruments, it appears that in some places there was nearly as much ground cultivated in the reign of Edward 3rd, as at the present day. The condition of different counties however was very far from being alike, and in general, the northern and western parts of England were the most backward.

The culture of arable land was very imperfect. Fleta remarks, in the reign of Edward 1st or 2nd, that unless an acre yielded more than six bushels of corn, the farmer would be a loser and the land yield no rent. And sir John Cullum, from very minute accounts, has calculated that nine or ten bushels were a full average crop on an acre of wheat. An amazing excess of tillage accompanied, and partly, I suppose, produced this imperfect cultivation. In Hawsted for example, under Edward 1st, there were thirteen or fourteen hundred acres of arable, and only forty-five of meadow ground. A similar disproportion occurs almost invariably in every account we possess. This seems inconsistent with the low price of cattle. But we must recollect, that the common pasture, often the most extensive part of a manor, is not included, at least by any specific measurement, in these surveys. The rent of land differed of course materially; sixpence an acre

seem

STATISTICS AND HISTORY. 491

to have been about the
ze for arable land in the
enth century, though mea-
as at double or treble that

But the landlords were na-
y solicitous to augment a
ue that became more and
inadequate to their luxu-

They grew attentive to
ltural concerns, and per-
l that a high rate of pro-
against which their less
tened ancestors had been
to clamour, would bring
more into their coffers than
k away. The exportation
n had been absolutely pro-
d. But the statute of the
Henry 6th, c. 2, reciting
'on this account farmers,
thers who use husbandry,
t sell their corn but at a
rice, to the great damage of
alm," permits it to be sent
here but to the king's ene-
so long as the quarter of
shall not exceed 6s. 8d. in
or that of barley 3s. The
of wool was fixed in the
-second year of the same
at a minimum, below which
son was suffered to buy it,
h he might give more; a
ion neither wise nor equit-
out obviously suggested by
ime motive. Whether the
of land were augmented in
egree through these mea-

I have not perceived;
great rise took place in the
of Henry 8th, or rather af-
ds. The usual price of
nder Edward 4th, seems to
een ten years purchase.
ay easily be presumed that
nglish writer can furnish
ittle information as to the
of agriculture in foreign

countries. In such works relat-
ing to France as have fallen within
my reach, I have found nothing
satisfactory, and cannot pretend
to determine, whether the natural
tendency of mankind to amelio-
rate their condition had a greater
influence in promoting agricul-
ture, or the vices inherent in the
actual order of society; and those
public misfortunes to which that
kingdom was exposed, in retard-
ing it. The state of Italy was
far different; the rich Lombard
plains, still more fertilized by ir-
rigation, became a garden, and
agriculture seems to have reached
the excellence which it still re-
tains. The constant warfare in-
deed of neighbouring cities is
not very favourable to industry;
and upon this account we might
incline to place the greatest ter-
ritorial improvement of Lom-
bardy at an era rather posterior
to that of her republican govern-
ment; but from this it primarily
sprung; and without the subju-
gation of the feudal aristocracy,
and that perpetual demand upon
the fertility of the earth which
an increasing population of citi-
zens produced, the valley of the
Po would not have yielded more
to human labour than it had done
for several preceding centuries.
Though Lombardy was extremely
populous in the thirteenth and
fourteenth centuries, she ex-
ported large quantities of corn.
The very curious treatise of
Crescentius exhibits the full de-
tails of Italian husbandry about
1,300, and might afford an inter-
esting comparison to those who
are acquainted with its present
state. That state indeed in many
parts of Italy displays no symp-
toma

numents of a time
lence was either unfi
least not forbid the
mankind. Volterra,
serted walls look dow
tainted solitude, was a
but free republic; S
whom, though less d
the malignant influen
was once almost the r
rence. So melanco
parently irresistible a
culture and populatio
physical causes, as see
gradually overspread a
tion of Italy, has no
been experienced in t
part of Europe, unless
Iceland.

The Italians of the fi
century seem to have p
attention to an art, c
both as related to cultiva
to architecture, our o
fathers were almost entire
rant. Crescentius dilate
horticulture, and gives a
long list of herbs both
and — . . .

STATISTICS AND HISTORY. 493

fect use of authorities. His part of statistical history began to excite attention, as hardly perhaps before publication of bishop Fleet-*Chronicon Preciosum*, so authentic documents had published with respect to that enquirers were glad to recourse to historians, when not contemporary, facts as they had thought record. But these histories are sometimes too distant in times concerning which, and too careless in general character, to merit regard; and even when contrary, were often credited more from the concerns of the world, and, at the best, not to register some extraordinary phenomenon of scarcity or plenty, than the average pecuniary dealings. The latter, in my opinion, to be easily rejected as testimony, the other to be sparingly and idently admitted. For it is no longer necessary to lean upon such uncertain witnesses.

In the last century a very great industry has been shown in the publication of account-books belonging to persons, registers of ex-ministers, returns of valuations of goods, bills, and in short every account, however trifling in value, by which this important subject can be illustrated. A great number of such authorities, improving the ordinary tenor of the account, rather than any remarkable variations from it, are the basis of a table, by which all things in the value of money

should be measured. I have little doubt, but that such a table might be constructed from the data we possess with tolerable exactness, sufficient at least to supersede one often quoted by political economists, but which appears to be founded upon very superficial and erroneous enquiries.

It is by no means required that I should here offer such a table of values, which, as to every country except England, I have no means of constructing, and which, even as to England, would be subject to many difficulties. But a reader unaccustomed to these investigations, ought to have some assistance in comparing the prices of ancient times with those of his own. I will therefore, without attempting to ascend very high, for we have really no sufficient data as to the period immediately subsequent to the Conquest, much less that which preceded, endeavour at a sort of approximation for the thirteenth and fifteenth centuries. In the reigns of Henry 3rd and Edward 1st, previously to the first debasement of the coin by the latter in 1301, the ordinary price of a quarter of wheat appears to have been about four shillings, and that of barley and oats in proportion. A sheep was rather sold high at a shilling, and an ox might be reckoned at ten or twelve. The value of cattle is of course dependent upon their breed and condition; and we have unfortunately no early account of butcher's meat; but we can hardly take a less multiple than about thirty for animal food, and eighteen or twenty for corn, in order to

to bring the prices of the thirteenth century to a level with those of the present day. Combining the two, and setting the comparative dearness of cloth against the cheapness of fuel and many other articles, we may perhaps consider any given sum under Henry 3rd and Edward 1st, as equivalent in general command over commodities to about twenty-four or twenty-five times that nominal value at present. Under Henry 6th, the coin had lost one-third of its weight in silver, which caused a proportional increase of money prices; but, so far as I can perceive, there had been no diminution in the value of that metal. We have not much information as to the fertility of the mines which supplied Europe during the middle ages; but it is probable that the drain of silver towards the East, joined to the ostentatious splendor of courts, might fully absorb the usual produce. By the statute of 15 Hen. 6th, c. 2, the price up to which wheat might be exported is fixed at 6s. 8d., a point no doubt above the average; and the private documents of that period, which are sufficiently numerous, lead to a similar result. Sixteen will be a fair multiple, when we would bring the general value of money in this reign to our present standard.

But after ascertaining the proportional values of money at different periods by a comparison of the prices in several of the chief articles of expenditure, which is the only fair process, we shall sometimes be surprised at incidental facts of this class which seem irreducible to any rule.

These difficulties arise much from the relative of particular commodities it is for the most part explain, as from the changes and in the usual manner. We have reached so high a pitch of that we can hardly but comprehend the frugalities of ancient times; and have formed mistaken notions of habits of expenditure which prevailed. Accustomed of feudal and chivalrous works of fiction, or by those who embellish their accounts of occasional and tournaments, and so inattentive enough to the manners of the seventeenth century, we are all aware of the usual with which the gentry lived under Edward 1st, or even Henry 3rd. They drank little wine; no foreign luxuries; they or never kept male servants except for husbandry; they as we may guess by their were indifferent; they travelled beyond their count even their hospitality had been greatly limited, if of manors were really more than we find it in many. Twenty-four seems a multiple when we would sum mentioned by a writer under Edward 1st, to the same value expressed in our money, but an income of 20*l.* was reckoned a good estate for a gentleman the lord of a single manor seldom have enjoyed it a knight who possessed an annuity passed for extremely

STATISTICS AND HISTORY. 495

not equal in commodities to 4,000*l*. But this income was y free from taxation, iditure lightened by of his villeins. Such owever, must have the most opulent of itlemen. Sir John eaks of five pounds fair living for a yeo- s of whom he is not d to diminish the im- io when sir William of the richest men in eaths, in 1493, fifty ch of his daughters, imagine that this was ue than four or five nds at this day; but mily pride, and want ney, which induced lemen to leave their dren in poverty. Or, at the expense of a e university in 1514 pounds annually, we n supposing that he eral accommodation resent age deems in- but consider how be afforded for about i, which will be not e proportion. And a modern lawyer say owing entry in the n's accounts of St. Westminster, for Also paid to Roger rned in the law, for giving, 3*s*. 8*d*. with for his dinner."— een times the fee em altogether inadequate, five shillings y furnish the table of even if the fastidious- manners would admit

of his accepting such a dole. But this fastidiousness, which considers certain kinds of remuneration degrading to a man of liberal condition, did not prevail in those simple ages. It would seem rather strange, that a young lady should learn needle-work and good-breeding in a family of superior rank, paying for her board; yet such was the laudable custom of the fifteenth and even sixteenth centuries, as we perceive by the Paston Letters, and later authorities.

There is one very unpleasant remark which every one who attends to the subject of prices will be induced to make, that the labouring classes, especially those engaged in agriculture, were better provided with the means of subsistence in the reign of Edward 3rd, or of Henry 6th, than they are at present. In the fourteenth century, sir John Cullum observes, a harvest-man had fourpence a day, which enabled him in a week to buy a comb of wheat; but to buy a comb of wheat, a man must now (1784) work ten or twelve days. So, under Henry 6th, if meat was at a farthing and half the pound, which I suppose was about the truth, a labourer earning three-pence a day, or eighteen-pence in the week, could buy a bushel of wheat, at six shillings the quarter, and twenty-four pounds of meat for his family. A labourer at present, earning twelve shillings a week, can only buy half a bushel of wheat, at eighty shillings the quarter, and twelve pounds of meat at seven-pence. Several acts of parliament regulate the wages that might be paid to labourers of different kinds.

Thus

Thus the statute of labourers in 1350, fixes the wages of reapers during harvest at three-pence a day without diet, equal to five shillings at present; that of 23 H. 6th, c. 12, in 1444, fixes the reapers' wages at five-pence, and those of common workmen in building at $3\frac{1}{4}d.$ equal to 6s. 8d. and 4s. 8d.; that of 11 H. 7th, c. 22, in 1496, leaves the wages of labourers in harvest as before, but rather increases those of ordinary workmen. The yearly wages of a chief hind or shepherd by the act of 1444 were, 1l. 4s. equivalent to about 20l.; those of a common servant in husbandry, 18s. 4d. with meat and drink; they were somewhat augmented by the statute of 1496. Yet, although these wages are regulated, as a maximum, by acts of parliament, which may naturally be supposed to have had a view rather towards diminishing than enhancing the current rate, I am not fully convinced that they were not rather beyond it; private accounts at least do not always correspond with these statutable prices. And it is necessary to remember, that the uncertainty of employment, natural to so imperfect a state of husbandry, must have diminished the labourer's means of subsistence. Extreme dearth, not more owing to adverse seasons than to improvident consumption, was frequently endured. But after every allowance of this kind, I should find it difficult to resist the conclusion, that however the labourer has derived benefit from the cheapness of manufactured commodities, and from many inventions of common utility, he is much inferior in ability to support

a family, to his ancestor four centuries ago. not why some have supposed meat was a luxury sustained by the labourer. less he could not have as much as he pleased; the greater cheapness, as compared with corn, to follow, that a considerable portion of his ordinary diet consisted of animal food present. It was remarked by John Fortescue, that the labourer lived far more upon a diet than their rivals the gentry, and it was natural to ascribe this to superior strength and constitution for this cause. I should find satisfaction in being convinced that no deterioration in the condition of the labouring classes had taken place; yet it does not appear extraordinary to those who reflect, that the population of England, in the year 1377, did not much exceed 2,300,000 souls, about the same as the population of the present time, an increase which may be supposed to have been the result of the fruits of the peace.

ORIGIN OF THE PINDARIES

(By an Officer in the Service of the East-India Company)

The name of Pindaries is found in Indian history as the commencement of a new century; several bands of freebooters followed the Maratta armies in their early incursions into Hindostan, and they are mentioned by Ferishta as having fought against Zoolfeer

STATISTICS AND HISTORY. 497

other generals of Aue. One of their first and distinguished leaders was a man named Ponapah, who came from the Carnatic and took Vellore in the reign of Sahoo. His chief is said to have succeeded by Chingody and Dewar, who commanded a thousand horse at the battle of Paniput, and under whom the military system would seem to have assumed a more regular form. They were divided into four tribes, commanded by four chiefs; people of the country, and of every religion, were indiscriminately enrolled in this heterogeneous command, and a horse and sword were deemed sufficient qualifications for admission. A common interest kept them united; the acquired wealth and reputation of the Mahratta wars, they applied upon lands which they afterwards tacitly permitted to be sold, and transmitted with them. The services of their chiefs were to their descendants. Dost and Burran are subsequently mentioned as leaders of the Marathas; and in order to show the followers of Tukkoor from those of Mahadiah, they were henceforth denominated the Scindia, and the Holkar. Dost Mohommud and his sons, the sons of Heroo, were powerful chiefs; but in the situation which is daily augmented by the admittance of Europeans, it is natural to suppose that European influence will not be confined to military claims, and that the superior genius and enterprize will ultimately rise to the surface.

This is accordingly found to be the case, and Seetoo, who is now the most powerful of all the Pindarie leaders, was a few years ago a person of no consideration. It is only of late, that these banditti have become really formidable, and they may now be looked upon as an independent power, which if properly united, under an able commander, would prove the most dangerous enemy that could arise to disturb the peace and prosperity of India.

The climate and hardy habits of these plunderers render tents or baggage an unnecessary incumbrance; each person carries a few days provisions for himself and for his horse, and they march for weeks together, at the rate of thirty and forty miles a day, over roads and countries impassable for a regular army. They exhibit a striking resemblance to the Cossacks, as well in their customs as in the activity of their movements. Their arms are the same, being a lance and a sword, which they use with admirable dexterity; their horses, like those of the Cossacks, are small, but extremely active; and they pillage, without distinction, friends as well as foes. They move in bodies seldom exceeding two or three thousand men, and hold a direct undeviating course until they reach their destination, when they at once divide into small parties, that they may with more facility plunder the country, and carry off a larger quantity of booty; destroying, at the same time, what they cannot remove. They are frequently guilty of the most inhuman barbarities, and their

their progress is generally marked by the smoking ruins of villages, the shrieks of women, and the groans of their mutilated husbands. At times they wallow in abundance, while at others they cannot procure the common necessities of life; and their horses, which are trained to undergo the same privations as their masters, often receive a stimulus of opium when impelled to uncommon exertion. Night and the middle of the day are dedicated to repose; and recent experience has shown us that they may be surprised with effect at such hours. Fighting is not their object, they have seldom been known to resist the attack even of an inferior enemy; if pursued, they make marches of extraordinary length, and if they should happen to be overtaken, they disperse, and re-assemble at an appointed rendezvous; or if followed into their country, they immediately retire to their respective homes. Their wealth and their families are scattered over that mountainous tract of country which borders the Nerbudda to the north. They find protection either in castles belonging to themselves, or from those powers with whom they are either openly or secretly connected. They can scarcely be said to present any point of attack, and the defeat or destruction of any particular chief, would only effect the ruin of an individual, without removing the evil of a system equally inveterate in its nature, and extensive in its influence.

The most powerful of the Pindarie chiefs are Kurreem Khan, Cheetoo (or Seetoo, as he is often

called) and Dost Mo. There are however, several ordinate chiefs, who are manders of dhurras, and acknowledge a tacence to one or other of the great leaders before men-

Kurreem Khan is descended from an ancient Mahommedan family; his early youth was spent in the service of Holkar, he subsequently quitted the service of Dowlut Row Scindia, and his enterprising character and enterprise soon increased the number of his adherents, he enlarged his dominions, partly by grants from the rajah of Berar, and partly by conquest from the rajah of Bhopaul, whose dominions he alternately invaded. He possessed himself of several fortresses, and, at the termination of the Mahratta war, he was such as to excite the jealousy of Scindia, who caused him to be treacherously seized and confined at Amritsar. Here he lingered some time in prison; after which, he obtained his release by the payment of a ransom, he resumed his former habits, returned to his companions, and, in time, became as powerful as he had been before. Scindia was unable to crush him by force, he had once more recourse to treachery, and taking advantage of a quarrel between Kur Seetoo, assisted the latter in having overthrown Kur Seetoo in a pitched battle, compelling him to fly for refuge to Amritsar, who made him over to Bhaye, the widow regent of the Holkar family. Kur Seetoo, since escaped, or ra-

STATISTICS AND HISTORY. 499

ed, and is now at the head of the Bhojpur, which amounts to five thousand horse, and is seated near Barseim, in Bhojpur. It is rumoured that he is to be reconciled to Scindia after what has passed, but they have no confidence in her.

Cheetoo, who is at present the head of all the Pindarie chiefs, has the confidence and favour of Scindia. He has lately acquired extensive influence; the number of his followers daily tends to increase, and, by a recent account, he was said to be at the head of twenty thousand men and a small corps of bad infantry and a train of twenty ill guns. He possesses the command of the districts of Sutwassa, which run along the northern frontier of the Nerbudda to the Gulf of Oujein, and nearly opposite to India.

Mohummud, the son of Cheetoo, is entitled from his birth to the chief place over all the Pindarie tribes. This person is inferior to Cheetoo, and his troops subject to his command may amount to between twelve thousand horse, a body of infantry, and a few A party of the adherents of Mohummud, commanded by his brother, Wausil Khan, inhabit the frontier provinces, and there is every reason to believe, that they are accompanied by some troops of Scindia. Their headquarters are at Bagrode, a short distance to the north-east of Bilseih, in the Bhopaul.

The Holkar branch of the Pindaries is far less formidable than

that of Scindia. Their chief leader is a person named Kawder Buksh; those of inferior note are Tookoo and Sahib Khan; and their united strength may be computed at nearly five thousand horse. They are generally cantoned in the vicinity of Kunool and Sohundra.

The Pindaries may probably amount altogether to between thirty and forty thousand horse; but in a community so subject to constant fluctuations, it is impossible to form any accurate idea of their number, which must vary from day to day according to the caprice of individuals, and the condition of the adjoining countries. Throughout the greater part of the territories of the native powers in central India, the husbandman is seldom permitted to reap the fruits of his labours; his fields are laid waste, his cottage reduced to ashes, and he has no alternative, but that of joining the standard of some lawless chief. Thus the numbers of the Pindaries may be said to increase in the same ratio, as the means of subsistence diminish; hunger goads them on to the work of destruction, and they rejoice in anticipation of the spoils of wealthy countries. Were they permitted to continue their merciless depredations without molestation, the peninsula of India would in time become a desert, and the few inhabitants that survived the general wreck, a band of savage and licentious robbers. The pastoral tribes of Arabia and Turkey, although sufficiently prone to pillage, where an occasion may offer, are not impelled

by such motives of imperious necessity, as the predatory horse of Hindostan; their slender numbers cover extensive countries, and when their flocks have exhausted the pasture of one plain, they move with their families into another. The Pindaries are, on the contrary, confined to a tract of waste land which has become the general rendezvous of every vagabond and outlaw, and whence they issue in desperate bands, in search of the necessaries of life. Some analogy may at first appear to exist between their usages and those of the early Mahrattas under Sevajee, but on reflection we shall discover an essential difference in many important points. The adherents of Sevajee were warmed by a strong patriotic feeling, they were all of the same religion and country, and were in fact the long oppressed inhabitants of an ancient kingdom, recovering their rights by the expulsion of a depraved and declining government of strangers. The Pindaries are a mere collection of vagrants from various countries and of different castes and religion, brought together from an inability of otherwise procuring the means of subsistence, divided amongst themselves, and ready at all times to desert their leaders, and enter the service of any prince or state who may support them.

The dominions of our allies have ever since the year 1811, been subject to their incursions. In 1814 they entered the province of Bahar, and threatened Bengal; and in the two following years invaded the British territories

under Fort St. George. with the rapidity of through the country of zam, they suddenly upon the defenceless d Guntoor, and in an instance themselves over the far country, every where committed the most shocking and atrocities. In 1816 they with redoubled numbers tending themselves from of the Conkan to that threw the whole southern the peninsula into a state of anarchy. They again passed with impunity and without opposition through the dominions of our allies the Peishwah and zam; carried fire and sword most from one end to the other of the district of Ganjam turned home, laden with plunder and stained with the blood of our subjects. In this last expedition however, several parties were overtaken, and we were satisfied to know that we were unable to contest the Company's troops. The success of the troops was owing to the valour of Major Lushington, Major Smith, and of the assistance of sepoys, under lieutenant Borthwick in the southern part of India. It was an equally brilliant exploit that several officers of the British must have a salutary effect in checking the boldness of the Pindaries, give confidence to our own troops, and convince our native powers that we can serve unsullied, our superiority in arms.

STATISTICS AND HISTORY. 501

DUCT OF THE IMPERIAL GOVERNMENT AT VENICE.

from Rose's Letters from the North of Italy.)

We are told that on Louis 14th descending, when a child, his addition at the despotic power possessed by the Turkish sultans, of his courtiers had the honor to draw his attention to the number of those who had perished by the bowstring. But it is a new view of the subject to imagine that absolute princes are subjected to no heavier penalty. A miserable end is bad, but a miserable life is yet worse. I know his a miserable life, who is deprived of the exercise of freedom while he is seated beneath the shadow of power. Amongst strange contradictions which may be found in despotic governments, the theory and practice of which are generally at variance, this is, I believe, one of the most ordinary. I do not, however, mean to say that there have not existed in different ages and different countries absolute monarchs of extraordinary mind and talents, who have been able to guide or stem opinion, and who have really reigned; but I speak of what I believe to be the case in a great majority of instances. This is easily accounted for, since despotism cannot rest on its own base. Despotic monarchs, therefore, seek as near as one for it as possible, and flee to it (where they do not find it done to their hand) upon the wishes of the people. Hence in such states there is a constant

reciprocation of slavery, through every link of the chain which binds empire together. As a proof; who are more enslaved to established usages than the emperors of China and Morocco? The emperor of China may indeed cane his mandarins, and the emperor of Morocco may behead his people at pleasure; but should either attempt any liberal or useful reform, he would be instantly hurled from his throne. We may say that all monarchy is built upon opinion. Constitutional kings in mixed monarchies, which are rationally constituted, generally speaking have to defer to the enlightened part of the public. Absolute monarchs are more usually the tools of the ignorant and hypocritical. To a European instance; the emperor of Austria is sometimes stigmatized in Italy as a wayward tyrant, at once foolish and faithless, professing great religion and morality, and violating, in practice, every precept of God and man. The following notice may serve to show how far these accusations are founded in truth, and how far he is a willing instrument in perpetrating the mischief which is attributed to him. The whole of Italy rung with the gracious professions which he made to his new subjects on visiting his Italian states; of his promise to abolish provincial custom-houses, to diminish the burthens under which his subjects were groaning, &c. &c. &c. Princes, however, too often find a dispensation from these sort of promises in the necessities of the state, and the circumstances of the times. We will

will therefore pass by these and their non-performance, and look to others of a different description, for the violation of which it would be difficult to find other excuse than that which serves as a text to my letter.

When the emperor visited Venice in 1815, he inspected in person all the public institutions, churches, hospitals, and prisons. On visiting the prison of the Riva degli Schiavoni, the keeper informed him of whatever was interesting in the history of those confined in it, or the immediate cause of their imprisonment. Amongst others he pointed out two boys, the eldest of whom was not above fifteen years old, and who, by the French laws, which remained in force, had been sentenced to five years imprisonment for stealing some fruit, observing that two years of that period had already elapsed; and he ventured to suggest, in a case where the punishment was so evidently disproportioned to the offence, his imperial majesty would find a happy occasion for exercising his mercy. He made the reply, which he vouchsafed to every petition which was presented him, of *sarà fatto*; but never redeemed his promise, either in this or in the innumerable other occasions, where he had pledged it, and always in the same form of words. During his six weeks stay at Venice, he was positively besieged by suppliants, and one of those about him has reported, that the number of their petitions amounted to 40,000; all which were received with the invariable an-

swer of *sarà fatto*, yet I have been assured, that no instance is known of a single promise having been fulfilled. This statement, though made by one whose evidence would appear unexceptionable, must, I think, when tried by arithmetic, be considered as exaggerated; for you will observe that, allowing this imperial assurance-machine to have been at work for only twelve hours out of the four-and-twenty, it would have delivered about a lie a second, a power that appears almost incredible. But allowing this statement to be overcharged, it is universally agreed that numerous petitions were graciously received, and compliance promised, but in no one known instance performed.

Are we to attribute this conduct to forgetfulness—to indifference? I have, without affectation, too good an opinion of the emperor's intentions, to accuse him of what may be considered as *crimes* in a sovereign. All is to be attributed to his not being a free agent; but if a doubt could remain on this subject, the following anecdote will, I think, remove it:

An officer who had, by his services, arrived at the rank of captain in the French navy, but who had only been able to obtain a lieutenant's commission in the Austrian service, on the Imperialists taking possession of Venice, petitioned the emperor to be re-instated in his original rank. His prayer was backed by the commandant of the Austrian marine, who confirmed the statement of his claims, and strongly recom-

STATISTICS AND HISTORY. 503

mended him as a meritorious officer. The emperor said he considered his case as a hard one, and would himself bring it to the aulic chamber, when he would enjoin his reason to the rank he had forfeited. The officer relied on the word of his sovereign, and after some weeks, the command of the marine received a decree from the Aulic Council, granting the petition in question, stating that the petitioner had liberty to quit the imperial service, if he did not think proper to accept such a commission as they might be pleased to assign him; they were astonished at the officer's presuming to support such a document, knowing, as he had done, their sentiments on the existence of the command itself. They recommended to him, moreover, not to be guilty of a similar act of disobedience in future; as, in such a case, they could not consider him as a man worthy of the high command entrusted to his charge. This man, *some* will say, was a former servant of France, and, as such, entitled to no consideration more than that which is given to a slave. I have a case in my mind such as feel or reason in favour of. A Venetian gentleman, governor of the fortress of Corfu, in pursuance of orders, was killed, and repulsed a French ship which was attempting to enter the port, a few days before the revolution of Venice. The emperor insisted on his punishment, and he was moreover excluded from all future command under the new system of things.

This man, reduced to poverty, sought grace at the feet of the emperor, who assured him of his protection and assistance. He died neglected and in misery, and one of his sons is now employed in piecing the tessellated pavement in the church of St. Mark!

It will not be out of its place to remark here, that France, though an aggressor in the beginning, was perhaps, in the last instance, justified in her hostilities to Venice, which that power had provoked by a diversion favourable to Austria.

The treatment of this man, independently of the object in confirmation of which I have told the story, may serve to show the treatment which his Imperial majesty's Italian subjects are destined to receive, whatever be their claims. But I might say, that every day offers fresh proofs of the hopelessness of these, almost every office being now filled with Germans, from the clerk and corporal to the judge and general, all unacquainted with the language, and unexperienced in the habits, of the country.

This must be considered as a perverse system of policy in any country, but it is most peculiarly mischievous to the interests of its authors in this. The Venetian revolution cast adrift an immense number of persons, who lived upon the employments of the state. It was hardly to be expected that the beggarly government of Austria should make an adequate provision for them, but it might at least have given employment to hundreds, were it only in the subaltern departments

of its innumerable petty establishments. But a more dangerous source of discontent has been opened in all the Austro-Italian provinces by this illiberal system of exclusion. There is a host of needy military adventurers, late in the service of the kingdom of Italy who are now either pining in the inferior ranks of the imperial army, or being too proud to descend in the scale of service, are actually without the means of obtaining their daily bread. These men are, of course, all ripe for revolution, and ready for any chance or change that may present itself. But if the fate of those who have been turned adrift is pitiable, that of many who have remained in the vessel is hardly to be envied, these being put on short allowance, and having scarcely wherewithal to support a miserable existence. In the time of the French a subaltern in the Venetian marine had three franks a day: he has now one and a half.

The Venetians received this paternal treatment at the hands of his Imperial majesty immediately on returning under his dominion, and indeed have no legal right "to think themselves ill-used;" but the Milanese *have* this melancholy resource. Till lately they enjoyed certain privileges, which they imagined they had ensured by a capitulation, under which they subjected themselves to their invaders. I am now, however, told that, by the new organisation lately sent to Milan from Vienna, there are only two Italians left in the higher departments of that government.

The Milanese have hitherto confined their revenge to robbing their magpies and jacks to rail upon their ostensible tyrant. But will their rage find so innocent a vent? I grant it may! for I see no other hope from a revolution.

If the Milanese, however, are not reaped the benefits they expected from their capital, they have gained something by showing their teeth; for the minor impositions of Milan are at least somewhat milder than those of Venice, and, as a sample of this, I should state that a journey from Venice to Milan pays less than one from Milan to Venice, though the road runs on a flat, and no reason is assigned for the difference.

How much more rational is the system pursued by the Milanese, who, opening the road to French talents, peculiarly encourage Italian talents and worth. I believe I exaggerate when I say that, excepting the line of the road annexed to France, there is not a Frenchman employed as a sub-prefect, in Italy, except only one who held any official situation in this city as director of the post. In all other matters it was indeed only for the commandants in France, were, I believe, French. Buonaparte should derive particular from his government, and not choose to be the staff of power, can be objected to him. In the horror of his system (which I have by no means divested of myself), I could not, at first,

STATISTICS AND HISTORY. 505

was here preferred
 ssor; but I can say,
 that on coming to
 es fell from my eyes,
 ly discerned and ac-
 the justice of the
 hown to *his* admi-
 the Italians over
 which seems rather
 European.

I am not single in
 ents; for I never
 th an Englishman,
 enough of the lan-
 ly to inform himself
 passing about him,—
 w one employed or

whether whig or tory,
 went to meeting or to

Whistlecraft.

feel what *I* feel, and
 a much keener de-
 /self.

isery which I have
 ed as heaped upon
 eat, in my firm be-
 by an unwilling in-
 The emperor of Aus-
 eputation of an ami-
 character, and the
 is house have shown
 as good intentions,
 ey have been un-
 n the gyves of the
 il.

n of Austria in Italy,
 &c.

tempt in my present
 ve you some idea of
 cal administration of
 ces, from which you
 whether Lombardy

has, in this respect, reason to be
 content with her change of mas-
 ters. It is but just to state, that
 the system is not to be exclusively
 attributed to the head of the
 sour-cROUT nations, and that Aus-
 tria is not to be considered as
 more weak or tyrannical than her
 neighbours; who are all, like the
 emperor, excellent persons in
 private life, and all scourges of
 the countries subject to their
 sway.

But as it would be a useless
 task to trace this scheme of op-
 pression, through all its varia-
 tions, I shall give you that of the
 government of the state from
 which I write, which is, however,
 as I have hinted, a little more
 severe than the other great divi-
 sion of Lombardy, known under
 the name of the Milanese.

I have already mentioned, inci-
 dentally to other matters, the
 taxes upon flesh, fowl, fish, flour,
 &c.; but to give a more compre-
 hensive idea of these, I shall state
 that every eatable and drinkable
 is not only taxed, &c. but seized
 and cessed under whatever vari-
 ous form it may present itself.
 Thus grain, flour, and bread, pay
 each a separate impost. It is the
 same with bull and beef, &c.;
 and mark, that not an article is
 brought to the place I date from,
 no not even a cabbage, but what
 pays its miserable fraction of a
 farthing. Such revenue, it is
 obvious, can only be collected at
 an expense, which must run away
 with the profit. But these petty
 taxes, which are almost un-
 productive to the government,
 though grievous in the extreme
 to the subject, are, to speak fami-
 liarly,

liarily, mere flea-bites in comparison to the other vampire pulls of the Austrian eagle.

I pass to these more cruel evacuations. The most serious of them, known by the name of *la prediale*, which prevails over Italy, is levied as well on land as on all descriptions of actual and tangible property. These pay 25 per cent upon their annual produce, that produce being calculated by public appraisers, and estimated according to the valuation made by them, under the French administration. This tax is collected in four even and quarterly payments. There are, in addition to this, what are called extra taxes (*sopra-imposte*) which proprietors pay, and which are known by the various denominations of *stradale*, *comunale*, *re-imposta*, &c. The taxes of this latter description have amounted, during the three years of Austrian government, to about 12 per cent a year. The whole amount, therefore, of these *greater taxes* would be 37 per cent—always speaking of annual produce.

It is but justice to declare that this appears to me to have been heavier in the time of the French; since, according to the best official information I can obtain, the aggregate produce of their main taxes amounted from 42 to 44 per cent.

The question, however, whether Italy was more severely taxed under the French or Austrians, is not to be determined by this comparison, because the system of frontier custom-houses, such as at present are established at the interval of every few miles,

as between Padua and Vicenza and Padua, and situated within the same, this monstrous piece of say, did not exist in French, who were cruel masters, but not ignorant of their own interest, if careless of the people whom they brought to them. We must, in addition to the 37 per cent by the Austrians, three innumerable petty duties upon different articles.

It ought, however, to be that the next most infamous iniquitous tax still exists even of old Venetian origin was preserved by the French, which mean that which bears beasts in life, lump, or from the wholesale butcher enters the city with his and tail flying, down to the garbage which is extracted from him when he has laid down his life in the slaughter-house.

But questions of tax not only to be tried by the French and the last species of which I have described in my illustration of the Taxes are, as any child more or less mischievous only in proportion to his talent, but with reference to their nature and their application. Brought to this last test, they give a decided preference to the French economy. Under the French see the completion of many public works, and the foundation of establishments for the improvement of art, of fine roads, and a secure police. On the other side, I see all the means of wealth cut off from the

STATISTICS AND HISTORY. 507

they spring and which they are to be diverted into a tax which its inhabitants have no skill or the activity to pay. Thus a striking instance of the mode in which the most provinces of Austria are drained at the expense of her acquisitions is afforded by the mode of supplying the wants of her armies. These are supplied with all necessaries, where nothing is practicable, out of hereditary transalpine dominions, though necessarily at a greater expense; a curious instance to the conduct of France, who fed and clothed her Gallic armies entirely with the spoils of the peninsula.

It is to leave all question of the justice or application of the tax, and to return to that of the amount, under the French and Austrian regimen in Italy; I find taxes of every kind, whether on land, on articles of consumption, or duties, &c. &c. &c. assured by another authority, my own opinion leans a different way), that these are so much more oppressive at present, where French Italy paid millions of francs, Austrian Italy now pays forty. And you will recollect that the Lombard and Venetian states are at least as well as the kingdom of Naples. If this fact, which I heard confidently averred, is true, the excess of present taxation must arise out of prohibitions on imports and exports: for it cannot be deceived in the state of which I have given you a true picture, the *prediale*, &c.

Whether the French system of taxation; a revenue in Italy was

more or less nefarious than that of the Austrians, it must be acknowledged that the mode of collecting it, as well as the formation of the main system of taxation, originated with the former. It is scarcely possible to conceive any thing more monstrous than this mode of collection, which, adopted by the Austrians, remains unmodified and unmitigated to the present hour.

I have already stated that the payment of the *prediale*, &c. is to be made quarterly; the failure of this payment at quarter-day is visited by the mulct of an additional five per cent if the payment be not made good within the four-and-twenty hours of the day of receipt. This penalty "drinks deep;" but that which awaits further default, to pursue my quotation, "drinks cup and all." For if the tax, together with its penalties, is not paid at the conclusion of the term of fifteen days (for so much more law is afforded the debtor), the receiver threatens what is called *un' oppignorazione*, in plain English, a *distress*, and this he may levy upon house, lands, or moveables, as he shall think fit. If, notwithstanding this intimation, the tax and penalties are not paid, the distress is actually levied; and this being done, in addition to the tax itself and its penalties, the expenses of the distress are also to be defrayed by the defaulter. If he does not voluntarily defray all these accumulated charges, a *new* distress is levied upon other lands, other houses, and other moveables. Thus, you see, there is an eternal repetition of the Gallico-Italian scene of Molière,

"che

"*che fare?*—*seignare, purgare, e clysterizare.*" But the matter is not mended, and the old question is renewed of *che fare?*—*re-seignare, re-purgare, et re-clysterizare.*

The distress is now levied according to the mode of the country, that is, the property of the defaulter is put under sequestration, but this *peine forte et dure* does not extort payment. The next step of the receiver, under such circumstances, is to send him a "*diffida.*" After this ominous intimation, he proceeds to sell his distrained property by auction, but if the sale of it more than covers the debt, is supposed to return him the overplus. There is still moreover a last hope held out to him; though his property is sold, he has two months good allowed him to recover it, by the payment of the same price at which it was purchased. This is, however, to be considered as scarcely more than a nominal grace, since the expenses and difficulties attending this transaction are such as to render it usually much more advisable to acquiesce in the loss. I should observe that no legal claim whatever stands in the way of the harpy claws of the imperial eagle. To give you, however, some more precise notion of the habits of this obscene bird, take the following anecdote, respecting which I shall observe, that the circumstances came under my own immediate observation:

A Venetian gentleman, some time absent from Venice, together with other property in houses, was owner of a magazine, which a tenant held by a

livello, or life-lease. Having been long in rent, the gentleman bore patience, and was rigorous proceedings, was informed, by the tenant, that he was possessor of the magazine government having set it for the non-payment *prediale!* Every day of instances of ruthless rapacity.

While such are the and visitations which break down the landed proprietor, he put his gold out to or whether he brood bags, withholding his wealthful circulation, a ruined proprietor is either by direct or indirect means.

But, considering the system of government, another point in which the French will be a very superior light, if compared with that of the Austrians, mean that of legislation the French, Italy enjoy incalculable advantages which allowed the creation of witnesses, publicity to all the proceedings of justice. This was under the ancient government of Venice; but a criminal given her by France superior to what she was at the time of her republicanism of open pleadings and examinations has given which has abolished the domination of witnesses these principles, more precious in Italy than elsewhere, has been substituted.

STATISTICS AND HISTORY. 509

ten depositions and secret
tions to the judges.

en I imagined I had done
by fiscal notices and was
into other things, a new
s notified on land, which is
ed to have been imposed
r to make up for the defi-
which will naturally follow
custom-house revenue, in
uence of the late prohi-
decrees. It is, however,
ible to enumerate all these
s as they arise; this would
attempt to give the weight
asure of a body which is
ally growing.

will exclaim, How do the
ctors exist under these ac-
ted burthens? To this I
, that an immense number
n are ruined, and those
t keep together a part of
heritance, remain without
r hope. Were the dues
church in like proportion,
ust be absolutely crushed,
se are fortunately light in

To begin with Venice,
e very inconsiderable; but
s some account of the cle-
onomy of this place may
ptable.

ce is now divided into
parishes. The rectors of
ave their estates as the
ch has; the *minimum* of
espective income being
seven hundred francs, or
hirty pounds sterling; but
be understood that more
lf of them enjoy a revenue
ast double the amount.
nimum of the salary of the
nd coadjutors of these, as
e called (and there are
ch in each parish), is fixed
erstand it, at four hundred

francs. In general, this last body
depend on the auxiliary masses
which they celebrate, each of
which is paid by the person who
causes it to be said, at the rate
of about fifteen-pence of our
money.

The income of bishops, to re-
ascend in the scale, in like man-
ner, depends, on fixed property
or funds, but, if it falls beneath a
given sum, is, as well as the pre-
ceding deficits, to be made good
out of the *cassa di beni demaniali*,
as is also that of the country
rectors, whose minimum is about
thirty pounds a year, arising, as I
before stated, out of tithes: but
these have often other sources of
revenue, in the lands or funds.

The tythes collected, I mean in
the Venetian state, except in
some few cases, such as I shall
specify in a more general view of
this subject, often do not exceed
the fortieth instead of the tenth
allotment of produce as with us.

In consequence, the livings of the
clergy are moderate in the *Stato
Veneto*: From what I can learn
there are not above fifty consi-
derable ones. These, however,
are rich, there being perhaps as
many which amount to three hun-
dred pounds a year, a large sum
here, more particularly in the
country; for we must allow that
men are not only rich or poor in
proportion to what they *have* and
what *that* will buy, but also in
proportion to what they *want*.

Now in Italy, not only neces-
saries are cheaper, but (more par-
ticularly out of great cities) fewer
things are necessary; so that I
should almost rate this sum spent
in a parsonage in Italy as much
more than equivalent to a thousand

pounds

ANNUAL REGISTER, 1819.

...ent in a rectory
and, where, from greater
col., the modes of artificial
life are generally multiplied
and ed

I should conclude my account of the Venetian clergy, without giving some little insight into its character, that this is now melting of the Venetian clergy, or regular and is a court no longer a mated by the spirit which distinguished it in the days of *Fra' Paolo*.

The Patriarch, however, retains his authority, as a sort of puny pope, and grants divorces as in the time of the Venetian republic.

You will recollect you and I having once discussed the principle of these divorces, which appears such a manifest infringement of the maxims of the Roman Catholic church. What we imagined, I find confirmed upon inquiry: these do not, in any degree, compromise the doctrine of marriage as a sacrament, and therefore insoluble; since the union, never sanctioned, has always held to be conditional as to its points; and these divorces are granted on the allegation of circumstances which would have rendered a marriage void *ab initio*, according to the long established maxims of Rome.

MANNERS, CUSTOMS, AND LOCAL DESCRIPTIONS.

DESCRIPTION OF ABANO.

(*From Rose's Letters.*)

Abano, August, 1817.

I at last established—

'Adige e la Brenta a' pie de' colli,
l' Trojano Antenor piacquer tanto,
le sulfuree vene, e rivi molli,
eti solchi, e prati ameni a canto,
con l' alta Ida volentier mutolli,
ospirato Ascanio e caro Zanto—

o speak plain prose, am ar-
l at Abano.

his village is about three
s from the Euganean Hills;
he houses, occupied by those
resort to the place, for the
fit of its muds and waters,
et nearer, all situated in an
nsive plain: from this rises a
of natural *tumulus* of a figure
ly circular, of about fifteen
high, and, I should think,
e one hundred in circum-
ice. It appears to be of the
sort of composition as the
ighbouring hills, perhaps the
k of one, consisting of cal-
ous stone, *tufò*, and other
rials, indicative of a volca-
nism.

From this mount burst two or
three copious streams of hot
water, which are capable of boil-
ing an egg hard, at their source.
A part of these serves to fill the
baths, and pits for heating the
muds; a part loses itself in cuts
and wet ditches, amidst the mea-
dows, and a part turns the wheel
of a mill, which whirls amidst
volumes of smoke.

The meadows, which are of a
surprising richness, extend about
two miles without interruption,
when they are broken by an insu-
lated hill, entirely covered with
trees, brushwood, and vines: from the foot of this issue smoking
streams, and a little farther is ano-
ther single hill, from whose roots
issue hot mineral waters. The
structure of the hills, and the cha-
racter and position of their strata,
show evidently that they were
once links in the Euganean
chain.

There are other springs of the
same nature, and having all of
them more or less of medicinal
virtue; which procured this place
the ancient name of Aponon, ap-
parently

parently derived (as has been conjectured) from a privative and *πῶς*, pain.

I can describe little more than what I see: but for a more scientific description of the place you may refer to the Philosophical Transactions, where there is a paper on this tract of country, by Mr. Strange, formerly English resident at Venice.

All spots of a similar description are supposed to have been honoured by the visits or residence of demi-gods. This was the case with Abano, though one should have thought a *second-chop* Trojan would have been sufficient for so insignificant a place, for it has to boast of the presence of Hercules himself, who was supposed to have ploughed two long furrows, visible in a marble rock; I suppose for the distribution of the springs.

*Præterea grandes effossi marmore sulci
Saucia longinquo limite saxa secant:
Herculei (sic fama refert) monstratur
aratri*

*Semita, vel casus vomeris egit opus.
Claud. de Apono.*

It is to be remarked, that the same fable was related of Hercules by the Leontines in Sicily, where there were also springs of the same description, and that sulphureous waters were, I believe, generally (for what reason I know not) dedicated to this demi-god.

The place was moreover once hallowed by oracles, probably inspired by the mephitic vapour which issued from fissures in the mountains, and many local deities were worshipped here, who were

supposed to preside salutary springs. Th these indeed appears been widely diffused should seem that th the later ages of th once ranked with B Many passages might be from classical authors effect, and the magni mains of baths and buil firm the fact of their ha of ancient celebrity.

But not only have th of men sunk in ruin, tho ture herself have felt th time, and little resembl be found in the landscap me to that which is pres by Claudian, who visit baths in the time of the Honorius. Some traditio over are preserved of changes operated here action of volcanic fire, a myself a witness to on wonders which nature i bly continually playing ing seen the main branc streams which break i *tumulus* before mentione its channel, and sudder itself a different vent.

It is not however upon logical wonders that th notoriety of Abano p rests. It is celebrate muds, which are taku its hot basins, and appl generally or partially case of the patient ma These are thrown by, a been used, and, at the of the season, return hot fountains, where th till the ensuing spring, may impregnate them with the mineral vir

These are supposed to contain. The most obvious of these, to an ignorant man, are salt and sulphur. The muds are, on being taken out, intensely hot, and must be kneaded and stirred some time before they can be borne. When applied, an operation which very much resembles the taking a stucco cast, they retain their heat without much sensible diminution for three-quarters of an hour, having the effect of a slight *rubefacient* on the affected part, and producing a profuse perspiration from the whole body; a disposition which continues more particularly in the part to which they have been applied, when unchecked by cold. Hence heat is considered as so essentially seconding their operations, that this watering-place, or rather mudding-place, is usually nearly deserted by the end of August; though there are some who continue to wallow on through the whole of September.

The baths, though sometimes considered as a remedy in themselves, are most generally held to be mere auxiliaries to the muds, and usually but serve as a prologue and interlude to the dirty performance which forms the subject of the preceding paragraph; they being supposed to open the pores and dispose the skin to greater susceptibility.

There is no doubt great fanaticism in this part of Italy respecting the virtues of these muds, which are here considered as applicable to many cases in which it would be ridiculous to suppose they could be efficacious. On the other hand, there seems to be as much perverse incredulity

amongst medical men on the other side of the Alps, always excepting our own, who, without rejecting the possibility of the thing, seem (at least those I have known) very discreetly to suspend their belief.

I can for myself see nothing improbable in the effects which the muds are supposed in many cases to produce; but to pursue a safer mode of reasoning, I have seen myself cases which might alone fairly establish the reputation of Abano. It is true, however, that the muds act very uncertainly, but this is probably the case with every medicament: and I suppose, with the exception of bark and mercury, it may be said that there is no such thing as a specific. To show, however, that there is no ground for despair even in apparently desperate cases, and where the first effects of the remedy seem to promise least, I shall mention one of late occurrence, of which I was not indeed an eye-witness, but which still forms the subject of conversation amongst the frequenters of the baths; a great proportion of whom were witnesses to the fact.

A gentleman of Feltre, of about two or three and forty, was brought here last year, labouring under the effects of a recent paralytic stroke, and contrary to the advice of his physicians, who considered him too much reduced to be able to support the severe discipline of the place. His first attempt confirmed their opinions, and he was obliged, through mere debility, to suspend his operations; but he was of that class of invalids who determine to get well and in their own way.

Having therefore reposed till he had recovered breath, he returned to the charge, and took the muds and baths for a considerable time, without injury indeed at first, but without any sensible benefit. At length, when all considered his perseverance as fruitless, these began to act, and their effect was as rapid as it had at first been slow. He now mounted on crutches, and, after a few days, quitted the place, having arrived at walking with a stick.

He returned this spring, completed his cure in three or four weeks, and danced *quadrilles*; we will charitably hope as a test of his recovery. The circumstances of this case were so extraordinary that I determined to examine the books of the house, where every article is noted down from a bath to a *bouillon*, in order to see what had been his system and how far it might throw light upon his cure. I found, from these, that he had deviated very much from the regimen ordinarily pursued, and instead of taking fourteen or fifteen muds and baths, in as many consecutive days, limiting his stay to a fortnight; he had remained here, on his first visit, between two and three months, taking the remedies of the place (I think thirty muds and as many baths) at very uncertain intervals.

I have very little doubt that this mode of regimen greatly assisted the cure; for we know that when any medicine is administered for a long time together, or only suspended for short and certain intervals, the remedy and the disease soon come to a sort of amicable understanding, and I have observed that these muds

after fifteen or sixteen tions lose their effect a *facient* upon the skin.

But you will say, is one on the spot who has their qualities, and who ble of directing their app Alas! here is, at present skilful doctor nor apothecan contribute to the cure or necessities of an invalid is not even a bathing-room a bell in it, nor is there a meter in any of the baths.

You are not however pose that the want of instruments necessary to procure medical or other remedies merely local; for I never pulse felt by a stop-watch country, nor did I indeed ever see such an improvement.

But I am getting to Abano and its miseries those I have already ed, may be added a heavy air, which blunts the appetite and deadens the senses of the strong and the rich shows its effect in the emaciated and the famished and the feeble; it is clear therefore that it cannot assist the virtue of the baths and muds, but contrary, must be considered as detracting from their effects.

The other circumstances of the place, such as the absence of the usual means of diversion, as little calculated to counteract the effects of their virtues.

Every one knows the necessity of keeping the spirits under every species of excitement. Now there is scarcely

to be had in the coffee-house, or a book to be procured of Padua; but perhaps the pleasures of the place are more suited for an Italian than an Englishman. These ordinarily sit in coffee-house prose, or sing to some *improvisatore*, or dancing (that is those who go to the squeak and squall fiddle, tormented by some ignorant blind professor, in billiard by day, or in faro by

night, that which best ensures amusement is the fund of good humour and gaiety which the inhabitants here bring with them, and each throws cheerfully into common stock. Both sexes, when they have finished their mattins and their masses, may be seen lounging in knots, and heat will admit, under an arched loggia, which forms the charming melancholy garden; and you have no lamentations of the kind over personal or local evils, nor do you ever detect ill-humour escaping by some accident. They fall naturally into society with each other, and never seem to fear, as we do, another's springing an instance upon him, which would show him up in the eyes of more fastidious or fashionable persons. All is ease, nature, and

simplicity. A system of sociability is almost universal in Italy. I remember passing two days in the house of a gentleman who occupies the principal house in a town in Tuscany, where, to my great astonishment, I perceived, on returning from an evening walk, the ominous pre-

parations of lights and card-tables. Having asked the meaning of this, I was told that it was my host's turn to hold an assembly, solemnized in rotation at the houses of all the *notables* of the place. At this all were present from the *feudatario* to the apothecary.

In some instances indeed even common shop-keepers are admitted (and were so formerly) to these country *conversazioni*. Yet, on returning to the city, all have the good sense to fall back into their proper ranks.

* * * * *

DESCRIPTION OF THE SETTE COMMUNI.

(From the same.)

I thought I had exhausted this city and its neighbourhood, and that I might pass the short remainder of the time I had destined to it, in all the luxury of idleness; but I am admonished by the incessant bells of the cows which are descending from the mountains, in order to winter in the plains, that I have omitted to make mention of a migratory race, the masters of these herds, who inhabit a part of the Vicentine; and who have claims upon the attention of the traveller.

I allude to the *Sette Comuni*, the inhabitants of which have, I believe, excited some curiosity at home. The district occupied by these people, contains eighty-six square Italian miles. This area is almost entirely mountainous, and the spot where stands the capital, Asiago, is eight hundred toises above the level of the sea. The whole space, which, in addition to the seven burghs, contains

To the north, it has for boundar the Tyrolian Alps, looking to wards Valsagna, and to the south the hills of the line of Marostic as far as Caltrano. These ar volcanic, but the tract of th Seven Commons is, itself, calca reous. The population of this previous to the last dreadful yea of pestilence and famine, consisted of thirty thousand souls, but is now diminished to twenty-five thousand.

The moral character of this people, who till lately enjoyed a comparatively free government, is, like that of most free men, and more especially of free mountaineers, simple, frank and good. For the rest, their customs savour of a race long insulated from their neighbours.

Some of these (but such are principally confined to the less civilized villages) remind one of some of the Celtic usages. Thus

there are those who trace up to a more certain stem, will have them to be the re- of the wreck of the Cimbri, ted by Marius and Catulus. opinion derives some coun- ce from Strabo, who, in his book, amongst some other , whom he plants in this of country, specifies the *bri, è quibus nomini Romano extiterunt aliqui.*" But it ays to be remembered that eaks of different nations oc- ng the country I am den- ng, and of the scattered ri, or Cimbri, as only one ght several. But, if the re- was occupied at the first, as ould appear, by various , these mongrel moun- rs mixed their blood, in times, with several other is, issuing out of what has called the great northern

Ancient historians have ded many such local irrup- and, above all, that in the of Theodoric; who assigned quantity of northern men, tions and lands amongst mountains.

lead therefore of consider- these people as legitimate of the Cimbri, it is surely consonant to all the evi- of history, to say that the and reflux of Teutonic in- s at different periods, ded this back-water of barba- who have no better title to enomination they have as- l, than the inhabitants of and Sussex have to a Belgic, se of Suffolk to a Danish,

re is, in truth, no other ation for this claim set up

by the inhabitants of the Sette Comuni, than the passage of Strabo, which I have mentioned; and there is no evidence of this claim having been advanced previous to the year 1597, when, in an account of an episcopal visit to Asiago, I find the following observation, "*Cimbros se esse asserunt.*" From that time to this, they have been voted Cimbrians, upon what grounds, you, who are acquainted with the ordinary mode of reasoning in such cases, may easily conjecture. Not being satisfied, I addressed myself on this point to a learned person of the race who had collected much matter touching his tribe, and I subjoin the answer in *totidem verbis*: "*I nostri popoli sono pieni di vivacità, coraggiosi, d'un animo nobile e generoso, industriosi, pieni di talento, gran cacciatori e bravi soldati, caratteri che DIMOSTRANO la loro origine, benchè lontana, da una nazione delle più antiche e leali del mondo.*"

The person who furnished me with this and some other answers to queries which I addressed to him, is about to publish on this subject, and much is here expected at his hands. But if you are curious to see what has already been printed respecting this people and their pretensions, take a few examples, not selected from amongst the most ridiculous. Thus we are told that their language is Teutonic, but not intelligible to their German neighbours, and this is forsooth a test of Cimbrism; for, though not intelligible to Germans, it is to Danes; more, it is the purest Danish; but Danish, forsooth, is Cimbric; therefore, the inhabi-

tants of the Sette Comuni are Cimbri. Q. E. D.

Thus we are told by Busching, that "in this district is preserved the ancient Cimbric language, or (to speak more exactly) the modern Saxon idiom; but in such perfection, that Frederic 4th of Denmark, who satisfied himself, in his own person, of the truth, declared that it was not spoken in *so polished* a manner in his own court"—and this account, though in itself contradictory, we are (heaven help us!) expected to believe. But, not to let the cause be prejudiced by a bad advocate, and supposing his Danish majesty to have said, *not* that he had never heard *Saxon*, but that he had never heard *Danish* spoken in *so genuine* a manner in his court, and supposing the thousand oral traditions, yet preserved here, of this prince and members of the Sette Comuni were true (though one must be a beast to believe them), what is to be deduced from them, other than that this people speak Danish?—which is, after all, a lie. But, not to waste words on this matter, I send you a specimen of Bossuet's Catechism, translated into their tongue, and which will probably convey some preciser notions than those with which we have been hitherto favoured. The learned who have heretofore written on the subject perhaps considered this as too simple and vulgar an expedient.

A subordinate point appeared to me to deserve investigation; to wit, whether they had any national denomination amongst themselves, which, like our highland name of *Gaël*, might be indicative of their origin. But

though I rummaged books and interrogated all who had made a study of this people, I could never find one, dead or living, who had ever made the inquiry. Being however persuaded that this was very essential to the investigation of the question, I sought out these savages in their huts and hired farms, and talked with such as could speak Italian, both in my own person and through an Italian servant. But, as to the point at issue, all assured me they had no name for themselves but that of the Sette Comuni. At last, my servant asserted that he had found one who said they *had* another name in their own language, which this brighter barbarian informed me was *Sieben perghe*!

You will probably, as well as myself, see nothing in this but the translation of the Italian name of the Sette Comuni. But what changes might not be wrung upon it by one who was disposed to chime into the ordinary cant of the hunters of national monuments! "*Sieben perghe*, it is true," they would say, "may signify *seven burghs*. But these words may also signify *seven mountains*, or *seven shepherds*." In the first case, they would therefore probably send us in search of the origin of these people to some city situated upon seven hills, as to Rome or Constantinople; in the second, we should have to hunt out seven leaders of pastoral tribes; and find them perhaps in the Tartarian tales!

One more circumstance appears to me to be interesting in the story of the Sette Comuni.

It should seem, that the fidelity

with

which they served the lords, from they became subject, from these petty tyrants privileges at an early period Italian story, and there authentic monuments of accorded them by the Vis- and the Scaligers. They t experience less indulgence the Venetian republic on ; under her dominion; for, h they were subjected, as ny points, to the provincial ment of the circle in which ay, they in many other re- legislated for themselves, ay be said to have had a ment of their own, whose of sittings is still to be seen town of Asiago. It will, er, be scarcely necessary to hat the Sette Comuni lost rivileges on being subjected : yoke of Austria. They w entirely subjected to the cial government of Vi-

ave now put together all ppeared to me *worthy of* in what has been written, orted of this people: but if extracted one half of what tually been put in print, on bject, I might have filled a . Believing, however, that ve, as well as myself, little or hunting *possibilities* un- : disguise of *probabilities*, I ed from the task; consi- that *should* you be given : unsubstantial chase, we fficient home-brewed trash kind without resorting to markets.

weather, which has driven abitants of the Sette Com- nto the plains, seems to rsued them; yet, nobody

here, except myself, has lighted a fire, though the fleas are already put down by the cold; a riddance which I consider as counterbalancing the worst that winter can do unto me. People here do not usually light their fires till after St. Martin's day, which falls, I think, about the 10th of November.

* * * * *
VENETIAN FESTIVALS.

(From the same.)

The Christmas holidays, properly speaking, are just past. The first, beginning with Christmas eve, is a day of great festivity with the Venetians; one of those on which the head of a house usually entertains his family and friends; almost every such person having a day, as St. Martin's or Christmas eve, appropriated to such a purpose. On these occasions the rich and liberal feed many, and feast high, though in the present instance, as it is the vigil of a holiday, and one of those very few meager days which are (generally speaking) observed by the Italian laity, their fare is confined to loaves and fishes. Even I cannot refuse a tribute to the excellence of the table of Christmas eve, though, after feeding two or three months on Catholic and frugal cates in Tuscany, where

— “il cane sen doleva e 'l gatto
Che gli ossi rimanean troppo puliti,”
Pulci.

I had reason to say, with Mercutio, “O flesh, flesh, how art thou fishy-fied!” and am still almost at odds with ichthyophagy.

This is, however, less dreadful
because

because more varied on these solemn days. On these the Italians usually dine late; and on this occasion the lower people of Venice seldom dine at all, working double tides at supper. The practice seems to originate in the notion that it is not right to make superfluous meals on this solemn day, the inconsistency of turning the single one, to which they confine themselves, into a feast, having nothing which is revolting to their ideas. It should, however, be observed, that this practice depends purely upon popular opinion, and on no injunction of the church.

Speaking of these *feasts*, I was invited, I recollect, once, on St. Martin's day, by a hospitable family of Vicenza, but declined the honour, on being informed by an annual guest that the table was laid on that occasion with forty covers. It is difficult, indeed, to conceive any thing more tedious than one of these solemn repasts, on whatever occasion it may be held, at which every dish is carved and circled at intervals. This is, no doubt, a most rational custom in the main, leaving host and guests at liberty; but the time, occupied by the practice, when the society is numerous, is surely more than a counterbalance to the convenience. I remember, for instance, being once present at a dinner, given by the cardinal pro-secretary of state at Rome, where the company consisted of twenty-five persons, and the dinner, in consequence, lasted for three hours. I don't know whether three or four other English, who were present, suffered as much as I did, but, for myself, I

never felt half so fatigued at any after-dinner-sitting in England as in Scotland. For, though both customs are bad enough, it is surely better to drink when one is not dry than to eat when one is not hungry.

For the Venetian holidays I have mentioned there are set dishes, as there are with us, and some of them of as strange composition: witness, one of fruits, preserved with sugar, spices, and mustard, which is the Venetian equivalent for a minced-pie. For the rest, the fare of Christmas eve, though meagre, is, as I have said, magnificent, always bating a sort of pye-pottage, called *torta de lasagne*, which might, I suppose, pair off with plum-porridge itself.

There is indeed one circumstance very favorable to the meagre department of the kitchen. The Mediterranean and Adriatic, in addition to most of those of our own coasts, have various delicate fish which are not to be found in the British seas. Of the tunny, sword-fish, and many others of the larger classes, you have of course read. Some others, which are rare with us, as the red mullet, swarm in these latitudes; and some tribes which are known to us, here break into varieties which are infinitely better flavoured than the parent stock. Amongst such may be reckoned a sort of lobster, a crab of gentler kind, and various shell fish, entitled *sea-fruit* in Italy, all which might well merit the eloquence of an Athenæus.

But not to pass by the *torta de lasagne*, of which I had nearly lost sight, though its taste is fresh

recollection: it is composed of oil, onions, paste, par-sine-nuts, raisins, currants, and dried orange peel, a dish, you will recollect, is to be as a prologue to fish or

ought, however, to be stated the ordinary pottage of this country, and which is, generally speaking, that of all ranks in Venice requires no prejudices of nation or habit to make it good, but may be considered as fit to be eat at sight. It consists of rice boiled in beef broth, salted, and *ravi nantes*, as in England and France, but firm, in such quantity as to nearly, when eaten, absorb the *bouillon* in which they are cooked: to this is added grated Parmesan cheese. The Venetian mess admits other additions, as tomatas, onions, celery, &c. Rice thus dressed, they have drunk up the broth, and termed *risi destirai*, as capable of being spread, right or left, with the spoon. There is also a great variety of the dish, termed *la bechèra*, or rice dressed in another fashion. In this the principal auxiliary is marrow, which, being entirely incorporated in the rice, makes a pottage that a king (after a friend) would not justify the sacrifice of an

the mode of cooking the rice is of the utmost degree of consistency, and is taken from the Turks, who are always saying that rice, as a proof of being well dressed, should be the rule of being counted. You will recollect the importance attached to this grain by the Janissaries, whose rice-kettles serve as standards; and, in general, by

the Turkish militia, which is recruited by parading them, and calling for the services of such as eat the rice of the Grand Signior. An almost equal degree of respect is attached to this food by the Venetians, and it is a common thing, on hiring a Venetian maid-servant, for her to stipulate for a certain monthly salary, and her rice.

Another custom, derived from the long intercourse of Venice with Turkey, is the presenting coffee at visits. Neither do the Venetians yield to their masters in the manufacture of this beverage, the flavour of which depends much more on its mode of preparation than its quality; and it is curious enough that England, where the coffee-berry and the cacao-nut are to be had in perfection, should be the only country in Europe where the drink which is composed from them is unsufferable.

To return to a theme on which I have already touched, the strange fashions of food which have some how or other passed into use amongst different nations, whilst they are poison to their neighbours, from the *torta de lasagne* of Venice to the partridge and poultice of England; there seems to be but one general exception to this principle, which is the coupling bread, or some substitute for it, with meat—a practice which is, I believe, common to all nations that have grain, or farinaceous fruit or root, within their reach. But this fact does not prove that there is any natural standard of taste: for this union of bread and meat is not dictated by instinct, though

in what it originates, except in the agreement of different countries in its wholesomeness, I know not. A strong proof of its not being dictated by instinct I have witnessed in Italian as well as English children, who are both trained with difficulty to the practice, and usually enticed into it by bonuses of beef and mutton. A whimsical confirmation, indeed, of my opinion was lately offered, by this place, in an old gentleman, who, not having been in infancy either beat or bribed into bread, never adopted it in after-life, continuing to his death a curious specimen of unsophisticated carrion. If his example makes against the notion of this use originating in instinct, it might also (as far as a single instance can tell) suggest some doubt of its necessity; for the carnivorous person lived long and merrily.

The present anecdote, and some others which I have not given you, and more particularly the having once seen a man eat melon with Spanish snuff (a sight not singular, as I am told, in Italy), have almost forced the conviction upon me, that there is no such thing as a gamut for the palate. If you urge, in opposition, the general analogy of nature, I do not know what battle I can make; but if you attack me with the trite instance of the passion of young children for spirits, I shall observe that they soon grow out of it: and this, therefore, seems to prove nothing more than an early obtuseness of palate, which is gratified by any thing that is stimulating. And something analogous may be re-

marked in the young animals, as in puppy-dogs eat filth till they come to estate, &c.

Having related the uses of Christmas eve, I remain those of two others to be described. The table on Christmas day is besieged by a smaller circle than on the feast, being, on the occasion, only surrounded by family, or those intimately connected with it. Here are dishes of prescription I never heard that any was attached to the altar from them, as is the case in some lands. But as almost every superstition exists, in its own parts, all the world over, it is also to be found here under a general head of *Moon*, the arbitress of tides, the great cause of all inequalities. Hence a lower class who has no money in his pocket at the appearance of this expects to remain without, she has repaired her horse.

St. Stephen's day brings it, I believe, little that is able, except the guests from all parts of Venice to the theatres, which, having been closed for a short time, on that day. There see as much superstition, in the expectation of being seen at the Opera theatre of the Fenice, on that occasion, as is attached to the *torta de lasagne* on Christmas. The only intelligible superstition is, that the Opera is always but as such, it must necessarily be deficient in the price of its machinery. Notwithstanding such an objection, a boy

MANNERS, CUSTOMS, &c. 523

cannot be had under five
aps, ten guineas, which,
ghts afterwards, may be
d for *one*—nay, at the in-
some weeks, at the price
en pence, as I know from
l experience. If it is sus-
of rank not to appear at
enix; it is absolute for-
of cast not to be able to
you were at some theatre
r; and, on the evening of
hen, not a lady is to be
t home in Venice.

like a long leap: the *Epi-*
called here the *Epifania*,
nia, indifferently; as if it
name from the *Befana*—
sort of she-goblin, who is
ed to preside over Twelfth-
This is not distinguished
ceremonies with which it
rated by us, though some
e were of Latin origin.
es are propitiatory of the
, who seems to fill the
lace here which the queen
airies formerly did in Eng-
Children usually leave her
of their supper, or, at least,
a roll (for she is supposed
er brown bread to white),
umbler of wine. As a re-
le for the exchange of mer-
ze, they suspend a stocking
kitchen, which is found,
t morning, filled with dirt,
l, and a few sweatmeats.
not observe that the bread
ne disappear. At Rome a
, representing the *Befana*,
ssed up and hung with
nas presents.

re is nothing here, that I
are of, which is interesting
scenic part of the religious
ons of this festival, with the
ion of the music of a mass,

called *la Pastorale*, in commemo-
ration of that with which our Sa-
viour is supposed to have been
saluted by the shepherds, and
usually imitative of the sounds of
the pastoral pipes. This, which
is various in various churches, is
always composed according to
the principles of the old school.
Its tone, on this solemn occa-
sion, is much relished by the Ita-
lians, notwithstanding they are
by no means fond of *ancient*
music, having (as I should ima-
gine is the general disposition
of man) much more sensibility to
melody than *harmony*, and seldom
pretending to a taste which they
do not really possess.

You will not, I think, quarrel
with me for stringing together
the “auld world,” as well as the
newer stories of the place; the
less so as all recollections of an-
cient Venice may be considered
as things saved from the waters.
The customs of the city have
changed; her ports and channels
are filling up, and her palaces are
crumbling into ruins. Yet a lit-
tle, and Venice will be a Baby-
lon, with the substitution of
the gull for the bittern and the
porpus for the fox. Should you
be (as I believe) desirous of
raking for riches amidst her rub-
bish, read the *Feste Veneziane*,
lately published by la Dama Re-
niel Michiël. This lady has, in
her description of the Venetian
festivals, put together much that
is curious and interesting, and
having formed a chaplet out of
relics long trampled in the dirt,
hung it up on the altars of her
country, in a spirit that would
not have misseemed the most il-
lustrious of her ancestry.

STATE OF SOCIETY, &c. IN THE UNITED STATES.

[*Hall's Travels in Canada, &c.*]

On the banks of the Schuylkill, about two miles from Philadelphia, there is a wild scene of cliffs, breaking the river into several rushes and falls: the metallic brilliancy of these rocks, whenever their strata are broken up, indicates the ridge of talcous granite, which Volney has traced for nearly 500 miles, from Long Island to the Roanoke, and which probably extends as far as the Savannah. It is observed to limit the tide waters by the cascades it forms on crossing the rivers, and to separate the barren sand-coast from the fertile alluvion districts above it, striking the Delaware at Trenton, the Schuylkill at Philadelphia, the Susquehanna near Octorara Creek, the Gunpowder Creek near Joppa, the Patapsco at Elkridge, the Patowmac at George-town, the Rappahanock near Fredericksburg, the James at Richmond, the Appomatox above Petersburg, and the Roanoke near Halifax. The road to Washington follows the line of this ridge, which naturally modifies the features of the country: its apparent elevation is inconsiderable, just sufficient to undulate the face of the landscape, and occasionally presenting, especially round streams, bolder prominences, called *bluffs* in South Carolina. The creeks and rivers, wearing through a yielding soil, have frequently their banks steep, and let the eye into deep woody glens; the soil in such situations is rendered fertile by a

mixture of clay with the sand which constitutes its basis. As far as Wilmington the stately Delaware enriches the prospect: from thence the scenery is uniform, consisting of plantations, interspersed with oak and pine barrens.

Here the houses, universally shaded with large virandas, seem to give notice of a southern climate; the huts round them, open to the elements, and void of every intention of comfort, tell a less pleasing tale: they inform the traveller he has entered upon a land of masters and slaves, and he beholds the scene marred with wretched dwellings and wretched faces. The eye, which for the first time looks on a slave, feels a painful impression: he is a man for whom the laws of humanity are reversed; who has known nothing of society but its injustice, nothing of his fellow men but their hardened, undisguised, atrocious selfishness. The cowering humility, the expressions of servile respect, with which the negro approaches the white man, strike on the senses, not like the courtesy of the French and Italian peasant, giving a grace to poverty, but with the chilling indication of a crushed spirit: the sound of the lash is in his accents of submission, and the eye which shrinks from mine, caught its fear from that of the task-master. Habit steels us to all things; and it is not to be expected that objects constantly present should continue to excite the same sensations which they cause, when looked upon for the first time (and this perhaps is one reason, why so much cruelty has been tolerated

MANNERS, CUSTOMS, &c. 525

world); but whoever should
 a slave for the first time
 life, with the same indiffer-
 he would bestow on any
 object, may triumph in the
 fortune through which he
 rn free, but in his heart he
 ve, and, as a moral being,
 ed infinitely below the ne-
 whose soul the light of
 n has been extinguished,
 r his own insensibility, but
 tyranny of others. Did
 iserable condition of the
 leave him mind for re-
 , he might laugh in his
 to see how slavery has
 n the land with ugliness.
 niling villages, and happy
 tion of the eastern and cen-
 tes, give place to the splen-
 uipages of a few planters,
 rretched negro population,
 g among filthy hovels—for
 s (after crossing the Sus-
 ma) there are scarcely any;
 are only *plantations*—the
 ame speaks volumes.

* * *

BALTIMORE.

le I was in Baltimore, I
 sketch of the city, taken in
 it then consisted of about
 dozen houses, built round
 ding-place: it now con-
 10,000 inhabitants, and is
 g rapidly. Here are rec-
 to be some of the largest
 s in the Union, that is, of
 100,000 to 1,000,000 dol-
 To strangers, the polished
 dity of its inhabitants ren-
 t a pleasanter residence
 Philadelphia: for my own
 hough very slightly intro-
 I received more civilities

in proportion, during the week I
 spent in this city, than in the
 whole course of my travels be-
 sides. Perhaps this courteous
 disposition is in a certain degree
 an inheritance: during the colo-
 nial regime, Annapolis was the
 center of fashion to all America:
 the governors of Maryland were
 commonly men of rank and fa-
 mily, who brought with them a
 taste for social elegance, which
 seems to have become the appa-
 nage of the old families, who,
 since Annapolis has fallen into de-
 cay, have become residents of
 Baltimore.

The city is built round the head
 of a bay, or inlet of the Patuxent,
 about eight miles above its junc-
 tion with Chesapeake Bay. The
 entrance of the harbour at Gos-
 such Point is 150 yards across,
 and defended by a fort, which
 our fleet ineffectually bombarded
 during the war. A sand-bank,
 about fifty feet in height, evi-
 dently the ancient boundary of
 the bay, forms a natural glacis
 round the town, and terminates
 at its southern extremity, in the
 hill of the signal post, from which
 there is a beautiful panoramic
 view of the city, fort, and har-
 bour. It was on this natural
 terre-plein the lines were con-
 structed against our threatened
 attack.

The public buildings of Balti-
 more being all of brick, have
 little architectural beauty; they
 evince the prosperity and good
 polity, rather than the taste of
 the city. There is, however, a
 monument erecting to the me-
 mory of Washington, in a kind of
 park, adjoining the town; it con-
 sists of a marble column, adorned
 with

with trophies in bronze: the design, like the man whose fame it records, is nobly simple. This is the first token of public gratitude America has consecrated to her first citizen; and, strange to tell, the design was set on foot not by an American citizen, but by an Irish exile.

Annapolis continues to be the seat of government for Maryland. Most states choose some secondary town for this purpose, to preserve their legislators, either from the seductions or the mobs of a great city; though there seems to be little cause for alarm on either head.

* * * *

WASHINGTON.

The traveller having passed through Bladensburg, on the east branch of the Patuxent, where the action was fought, which the Americans have nick-named the "Bladensburg races," crosses a sandy tract, interspersed with oak barrens and pine woods, until suddenly mounting a little rise, close to a poor cottage with its Indian corn patch, he finds himself opposite to the capitol of the federal city. It stands on an ancient bank of the Patowmac, about eighty feet above the present level of the river, the course of which it commands, as well as the adjacent country, as far as the Allegany ridges. The edifice consists of two wings, intended to be connected by a centre, surmounted by a dome or cupola. The design is pure and elegant, but the whole building wants grandeur: each wing would not be a large private mansion: the interior has

consequently a constrained appearance, a kind of cramped space disagreeably contrasted with the gigantic scale without, as well as with the growing magnitude of the American nation. The design, which is a kind of revelation of the impression to be produced on the whole building, is wide enough for three persons to pass conveniently. The members of the senate and relatives are of very moderate dimensions, and the judgment with its low-browed forehead, short columns, seems after the prison of Constance. Some of the proportions too are of very taste. Mr. Latrobe has a set of figures for the of representatives, to the several states of the Union, but as it is not easy to find an attribute, to say nothing of a poetical characteristic, Connecticut may be distinguished from Massachusetts, North Carolina from South Carolina, Kentucky from Ohio, must be had to the use of the expedient of a superscription to point out his own title to each representative. Mr. Latrobe has indeed hit upon a device for Massachusetts, leading by the hand a boy, representing which boy becomes a girl, when Maine assumes her present name—a puerile conceit. (I help regretting the design should have neglected their new Capitol a certain grandeur worthy of the ambition. Private rise, decay, and are

MANNERS, CUSTOMS, &c. 527

superior magnificence, or growing opulence on require; but public should have a character to their purpose; they them the seal of the age, and sometimes illy reveal the political of the nations by which raised. The Romans ated to their erections ility of their empire. icans, in "their aspi-be great," seem some-look towards Roman ut the imitation must gs, not names; or in-noble parallel, they are of producing a ludi-trast.

he foot of the Capitol : runs a straight road (to be a street), planted ars for about two miles, sident's house, a hand-ne mansion, forming a us object from the Ca-near it are the public id some streets nearly about half a mile far-pleasant row of houses, which the president at esides: there are a few houses still farther on to George-town, and uly the sum total of the 1816. It used to be a inst Washington, that r neighbours must go a wood to make their t the jest and forest have together: there is now a tree betwixt George-l the Navy-yard, two ond the Capitol, except ars I have mentioned, y be considered as the entes of future houses. the policy of such tho-

rough clearing; clumps of trees are preferable objects to vacant spaces, and the city in its present state, being commenced from the extremities instead of the centre, has a disjointed and naked appearance. The fiery ordeal has, however, fixed its destiny. Land and houses are rising in value, new buildings are erecting, and with the aid of the intended university, there is little doubt that Washington will attain as great an extent as can be expected for a city possessed of no commercial advantages, and created, not by the natural course of events, but by a political speculation. The plan indeed supposes an immense growth; but even if this were attainable, it seems doubtful how far an overgrown luxurious capital would be the fittest seat for learning, or even legislation. Perhaps the true interest of the Union would rather hold Washington sacred to science, philosophy, and the arts; a spot in some degree kept holy from commercial avarice, to which the members of different states may repair to breathe an atmosphere untainted by local prejudices, and find golden leisure for pursuits and speculations of public utility. Such fancies would be day-dreams elsewhere, and are so perhaps here; but America is young in the career of political life; she has the light of former ages, and the sufferings of the present to guide her; she has not crushed the spirits of the many, to build up the tyranny of the few, and therefore the prophetic eye of imagination may dwell upon her smilingly.

I fell into very pleasant society at Washington. Strangers who

who intend staying some days in a town, usually take lodgings at a boarding-house, in preference to a tavern: in this way they obtain the best society the place affords; for there are always gentlemen, and frequently ladies, either visitors or temporary residents, who live in this manner to avoid the trouble of house-keeping. At Washington, during the sittings of congress, the boarding-houses are divided into *messes*, according to the political principles of the inmates; nor is a stranger admitted without some introduction, and the consent of the whole company. I chanced to join a democratic mess, and name a few of its members with gratitude, for the pleasure their society gave me:—Commodore Decatur and his lady, the abbé Correa, the great botanist and plenipotentiary of Portugal, the secretary of the navy, the secretary of the navy board, known as the author of a humorous publication, entitled, “John Bull and Brother Jonathan,” with eight or ten members of congress, principally from the Western states, which are generally considered as most decidedly hostile to England, but whom I did not on this account find less good-humoured and courteous. It is from thus living in daily intercourse with the leading characters of the country, that one is enabled to judge with some degree of certainty of the practices of its government; for to know the paper theory is nothing, unless it be compared with the instruments employed to carry it into effect. A political constitution may be nothing but a ca-

balistic form, to extract and power from the people; then the jugglers must be dark, and “no admittance the curtain.” This way affords too the best ins the best part of society; a free nation the deposits the public confidence be or vulgar, it is a very search to look for the qualities in those they r whereas, if these be formed in mind and m proves at the least an i towards knowledge ar ment, in the general r tizens by whom they a ed. My own experien me to a favourable ven particular. I found th cle into which I ha fallen, full of good good humour, and ne it without feeling mys on the score, either of formation or of soc ment.

The president, or lady, holds a drawing-ly, during the sitting o He takes by the hand are presented to him hands being discoveri rica to be more rationa ly than kissing them rest, it is much as sucl every where, chatten compliments and ice music (some scandal, among the ladies), a Nothing in these assen attracted my notice, t extraordinary stature of: Western members; seemed filled with giar whom moderately - s crept like pigmies. I

to what the difference may be attributed; but the surprising difference of the inhabitants of the western states is a matter of astonishment to those of the Eastern, and of the coast line generally. A phenomenon, which is certainly a considerable stumbling-block to the abbé Raynal's theory, probably be resolved into the action of three positive causes, one negative; namely, plenty but simple food, a healthy life, constant exercise in the air, and the absence of all irritation. In a more advanced stage of society, luxurious and sedentary habits produce in each that enfeeblement of vitality, which scanty food and laborious or unwholesome occupations bring upon the poor. The persons to be compared with the Goliaths of the West were, Indian chiefs from Georgia, laws or Chickasaws, who came to Washington on business, were presented to Madison's drawing-room. I had a still greater appearance of muscular power than the Indians; and while looking on I comprehended the prowess of those ancient knights, whose might held an army in

— and made all Troy retire."

The sittings of congress are in a temporary building, during the repair of the Capitol; and ended them frequently, and fortunate enough to be present at one interesting debate on a subject in the mode of presidential elections: most of the principal speakers took a part in it: Messrs. Gaston, Calhoun, and

Western in support of it; Randolph and Grosvenor against it. The merits of the question were not immediately to be comprehended by a stranger, but their style of speaking was, in the highest degree, correct and logical, particularly that of Mr. Western, of New Hampshire, whose argumentative acuteness extorted a compliment from Mr. Randolph himself, "albeit unused to the complimenting mood." Mr. Grosvenor, both in action and language, might be considered a finished orator, as far as our present notions of practical oratory extend. Mr. Randolph, whose political talents, or rather political success, is said to be marred by an eccentric turn of thought, which chimes in with no party, seems rather a brilliant than a convincing speaker; his elocution is distinct and clear to shrillness, his command of language and illustration seems unlimited; but he gave me the idea of a man dealing huge blows against a shadow, and wasting his dexterity in splitting hairs: his political sentiments are singular; he considers the government of the United States as an elective monarchy: "Torture the constitution as you will," said he, in the course of the debate, "the president will elect his successor, and that will be his son, whenever he has one old enough to succeed him." No expressions are used, either of approbation or the contrary; whatever may be the opinion of the house, the most perfect attention is given to each member; nor, however long he may speak, is he ever interrupted by those

indications of impatience so common in our House of Commons. This may reasonably be accounted for by supposing, that their average speeches are in themselves better; or more agreeably, by conjecturing that the American idea of excellence is put at a lower standard than our own. Both the talents, however, and behaviour of the members, seem worthy of the government, and of what America is, and may be. Their forms of business and debate nearly resemble those of our parliament; always excepting wigs and gowns, a piece of grave absurdity well omitted: for it is surely an odd conceit, to fancy the dignity of the first officers of states attached to, or supported by, large conglomerations of artificial hair.

* * * * *

MOUNT VERNON.

Crossing the Patowmac by a wooden bridge, a mile and a quarter in length, the toll of which is a dollar, I proceeded through Alexandria to Mount Vernon. Whatever is worth describing in the house or situation, has been many times described: having walked through the gardens, I requested the old German gardener, who acted as a Cicerone, to conduct me to the tomb of Washington: "Dere, go by dat path, and you will come to it," said he: I followed the path across the lawn, to the brow that overlooks the Patowmac, and passing a kind of cellar in the bank, which seemed to be an ice-house, continued my search, but to no effect:—I had already found it: this cellar-like hole in the bank, closed by an old wooden

door, which had never been even painted, was the tomb of Washington, with not a rail, a stone, or even a laurel, "to flourish o'er his grave."

I stood for a moment overpowered with astonishment and indignation:—Behold, says prejudice, the gratitude of republicans! Behold, says reason, the gratitude of mankind! Had Washington served a czar of Russia, he might have shared, with Suwaroff, a Siberian exile; he lived and died honoured by the country he had saved; he is forgotten in the grave, because man is feebly excited by any but selfish motives: the enlightened selfishness of republicanism honoured its defender; but what form of polity has been discovered, in which gratitude survives the hope of future benefits? Party zeal raises monuments over its victims, to stimulate the survivors: vanity has not unfrequently urged the living to unite by such means, their perishable names with those of the immortal dead; but the mausoleum rises slowly to which neither interest nor vanity contributes. It is said that the federal city will finally receive the remains of its designer; but the dead can wait, and in the interim the matter was nearly cut short, by an attempt to steal the bones from their present receptacle, to carry them about for a show. The old door has since been kept padlocked.

* * * * *

CHARLESTON.

Streets unpaved and narrow; small wooden houses, from among which rise, in every quarter of the

tately mansions, sur-
from top to bottom with
erandas, and standing
little gardens full of
rees, palmettoes, and
is, are features which
arleston an expression
g rather to the South of
than to the Teutonic
the North. Perhaps
to view its large black
on and glowing tempera-
January, it is not very
me of the cities on the
anean coast of Africa.

respects it is a noble
nt of what human avarice
t: its soil is a barren
sand, with a river on
le overflowing into pes-
marshes, which exhale a
n so pernicious as to
sleeping a single night
s influence, during the
months, an experiment of
ost hazard. Even the
io place of refuge during
st part of the season: all
itants who can afford it,
to a barren sand-bank in
our, called Sullivan's
containing one well and
mettoes: here they dwell
ible wooden tenements,
g in every storm, lest (as
quently happens) their
laces should be blown
r their heads, or deluged
ndation of the sea. But
l not men do, and bear,
ey? These pestilential
are found to produce
e, and the adjacent allu-
tion; true it is, no Eu-
frame could support the
f cultivation, but Africa
ish slaves, and thus, amid

contagion and suffering, both of
oppressors and oppressed, has
Charleston become a wealthy city
—nay, a religious one too; to
judge by the number of churches
built, building, and to be built.

I inquired the cause of what
seemed to me an anomaly in the
history of planters, and was in-
formed, that this devotional access
came on about the period of the
French Revolution, in conse-
quence of very severe alarm at
the danger to which religion and
social order were exposed. The
Carolínians proceeded in conse-
quence to amend their lives, not
as a mere moralist might have
imagined, by amending their slave
code, by providing for the in-
struction, and paving the way
for the total emancipation of the
many thousands of their fellow-
creatures, whom they held in
stripes and bondage: this indeed
would have been, to a certain
extent, imitating the revolutionists
themselves; they therefore took,
not only an easier course, but one
they had reason to think much
more acceptable, because a more
personal compliment, to the
Deity whom they professed to
serve; they built and frequented
many churches, heard and read
many sermons, and bought and
sold their brethren as before.

Charleston has a great reputa-
tion for hospitality, a virtue very
generally conceded to the Ame-
ricans, even by those who are
willing to deny them every other:
in my judgment, their fame, in
this respect, as much exceeds
their deserving, as in most other
cases it falls below it. Hospitali-
ty, in the true sense of the word,

means that liberal entertainment which spreads a couch and table for the stranger, merely because he is a stranger: this was the hospitality of the ancients, and is still that of the Arabs, Tartars, and uncorrupted Indian tribes; it was also that of the Americans themselves in a less advanced state of society: Mr. Jefferson told me, that in his father's time it was no uncommon thing for gentlemen to post their servants on the main road, for the purpose of amicably waylaying and bringing to their houses any travellers who might chance to pass: of such violence, not a particle is now to be apprehended, at least in the old States. While I was in the North, I was constantly told of the hospitality of the South: at Philadelphia I found it ice-bound; at Baltimore there was indeed a thaw, but at Washington the frost, probably from the congealing influence of politics, was harder than ever; the thermometer rose but little at Richmond, and, when I arrived at Charleston, I was entertained, not with its own hospitality, but with an eulogium upon that of Boston.—I did not retrace my steps to put the matter to proof.—The experience of an individual would not be very conclusive, were hospitality a discriminating virtue; but its essence is prodigality, and the name of *stranger* the only requisite passport to its favour. Of such hospitality the traveller will find nothing, except indeed his rank or character should be such as to give an *edat* to his entertainers. The ordinary pilgrim must be content, if his letters of

introduction procure him certainly will, a courteson and a dinner: he find a ready and polite into general society; ought to satisfy him: as there are taverns open claim, and every civility ter of grace. The hum is, however, slow to di opinion it has once d hospitality is still talked by Americans and str if it were still alive. reciprocation of civilitie citizens of different stat connected by commerci ties, fosters the delu New York merchant is entertained at Charlest of Charleston receives quate return of civiliti York. This is not l but a mutual exchange on mutual convenience however, a change of considered a reproach has, in all countrie through the same grad each stage of its pr been marked by its virtues, crimes, and fo pitality belongs to t which, in a certain po is to be styled barb would become a st virtue, were it to surv ment when it cease pleasing to the entert necessary to his guest. still lingers on the b Mississippi; it will the advanced guard down the shores of th be driven from the neighbourhood of the and finally drowned in

PERSIAN AMBASSADOR IN LONDON.

(*Morier's Persia.*)

As the Persian ambassador attracted much interest in England, it may be gratifying to his friends, and not unacceptable to others, to receive some account of his residence in this country.

His first surprise on reaching England, was at the caravanserais, for so, though no contrast can be greater, he called our hotels. We were lodged in a gay apartment at Plymouth, richly ornamented with looking-glasses, which are so esteemed in Persia, that they are held to be fitting for royal apartments only: and our dinners were served up with such quantities of plate, and of glass ware, as brought forth repeated expressions of surprise every time he was told that they were the common appendages of our caravanserais. The good folks of the inn, who like most people in England, look upon it as a matter of course that nothing can be too hot for Asiatics, so loaded the ambassador's bed with warm covering, that he had scarcely been in bed an hour, before he was obliged to get out of it; for having during all his life slept on nothing but a mattress on the bare ground, he found the heat insupportable, and in this state he walked about the greatest part of the night, with all the people of the inn following him in procession, and unable to divine what could be his wishes.

One of the public coaches was hired to convey his servants to London; and when four of them

had got inside, having seated themselves cross-legged, they would not allow that there could be room for more, although the coach was calculated to take six. They armed themselves from head to foot with pistols, swords, and each a musket in his hand, as if they were about to make a journey in their own country; and thus encumbered, notwithstanding every assurance that nothing could happen to them, they got into the coach. His excellency himself greatly enjoyed the novelty of a carriage, and was delighted at the speed with which we travelled, particularly at night, when he perceived no diminution of it, although he was surprised that all this was done without a guide. We were met at two posts from London by two gentlemen of the foreign office, who greeted him on his arrival; but he grew very anxious as we proceeded, and seemed to be looking out for an Istakball, or a deputation headed by some man of distinction, which, after the manner of his own country, he expected would be sent to meet him. In vain we assured him that no disrespect was intended, and that our modes of doing honour to ambassadors were different from those of Persia: our excuses seemed only to grieve him the more; and although to a foreigner the interest of the road greatly increased as we approached the city, yet he requested to have both the glasses of the carriage drawn up, for he said that he did not understand the nature of such an entry, which appeared to him more like smuggling a bale of goods into a

town,

town, than the reception of a public envoy. As for three of his servants who followed us in a chaise behind, they had nearly suffocated themselves; for, by way of experiment, they had put up all the glasses, and then when they wished it could not put them down, so that they were quite exhausted for want of fresh air.

He who had witnessed the manner in which our ambassadors had been received in Persia, particularly the *levée en masse* of the inhabitants who were sent out to meet him at every place where he stopt, was surprised to see the little notice that he himself in the same situation in England had attracted, and the total independence of all ranks of people.

Although he found a fine house and a splendid establishment, ready to receive him in London, and although a fine collation was laid out upon the morning of his arrival, nothing could revive his spirits; so much had he been disappointed at the mode of his reception.

His first object was to deliver his credentials to the king as soon as possible, because in Persia it is esteemed a slight if that ceremony be delayed. In this also he was disappointed, for on the first Wednesday, the usual levee day, his Majesty happened to be unwell, and consequently there was a delay of more than ten days before he could be presented. He bitterly lamented his fate, and daily affirmed, that for this he should lose his head on his return to Persia. When the day came, he was naturally anxious about the reception which he was to find: he had formed

his ideas of our court from what he recollected of his own, where the king's person is held so sacred, that few have the privilege of approaching it. He had a private audience at the queen's house, and from the manner in which he expressed himself after it was over, it appeared that the respect which he had hitherto felt towards our monarch was diminished. There are many ceremonies exacted upon approaching the Shah of Persia. He is first seen at a great distance, he is approached with great caution, and with many profound inclinations of the body. In his immediate vicinity, the shoes are taken off, and none enters the room in which he himself is seated, without a special command from him. Here the Persian entered at once into the same room where his Majesty was standing. He made no inclination of the body, he did not even take his shoes off; and, what is more, he put his credentials into his majesty's own hands. He said, that he had expected to have seen our king seated on a throne at a distance, and that he could not have approached within many paces of him: his surprise then may be conceived, when, on entering a small room, he was taken to a person whom he took to be a *capijee* or porter, and was informed that this was the king of England. He said, that if any blame was imputed to him for not having delivered his credentials immediately on arrival, that all would be pardoned him, when he should assure the shah, that he was not desired to take off his shoes as he approached

our

our monarch. These circumstances will perhaps show, of what importance it is, upon the introduction of an Oriental minister to the king, that care should be taken to show him the court in its greatest splendor.

He arrived in London in the month of November, and the gloom of the weather had a visible effect upon his health and spirits. For two months he never saw the sun, and it was fully believed by his suite, that they had got into regions beyond its influence; when one day several of them rushed into him with great joy to announce that they had just seen it, and that if he made haste he might perhaps see it also.

It was surprising to observe with what ease he acquired our habits of life, how soon he used himself to our furniture, our modes of eating, our hours, our forms and ceremonies, and even our language, though, perhaps, with respect to the latter acquirement, it might rather be observed, that he soon learnt sufficient just to misunderstand every thing that was said. He who had sat upon his heels on the ground all his life, here was quite at his ease on chairs and sofas; he who before never eat but with his fingers, now used knives and forks without inconvenience.

Of some things, it would be impossible from mere description to give any just idea. Such was an opera or a play to a Persian. The first night he went to the opera, evidently the impression of surprise which he received on entering his box was very strong, although his pride made him conceal it. His servants had been

sent to the gallery, and upon going up to hear what was their conversation, they were found wrangling amongst themselves, whether or no the figures that they saw upon the stage were real men and women or automata. He was taken to see *King Lear*, and the story, which is likely to affect one whose natural respect for majesty is so profound, brought tears from him in great plenty, although he did not understand the language in which it was acted. No people would have a greater taste for scenic representations than the Persians; if we may judge from the effects which they produced on these individuals.

When it is known that a Persian *mejlis* or assembly is composed of people seated in a formal row on the ground, with their backs against the wall, some idea may be had of the Persian ambassador's surprise upon entering an English rout. The perfect ease of his manners and unembarrassed conduct on such occasions, will be as surprising to us, as the great crowd of men and women hotly pressed together for no one apparent purpose, was to him. He gave an entertainment of a similar description at his own house, to the astonishment of his domestics, whose greatest surprise was how little noise was made by such a crowd, for said they, "What a different scene would such a number of people have made of it in Persia!"

On his being taken to hear a debate at the house of commons, he immediately sided with a young orator, who gained him over by his earnest manner and the

the vehemence of his action : and in the house of lords, the great object of his remark was, the lord chancellor, whose enormous wig, which he compared to a sheep-skin, awoke all his curiosity. There was considerable pleasure in observing his emotion when he was taken to St. Paul's cathedral, on the anniversary of the charity children, where he acquired more real esteem for the institutions and the national character of England than he did from any other sight, for he frequently after referred to his feelings on that occasion.

He was one day waited upon by a deputation from the Society for promoting Christian knowledge, composed of three reverend gentlemen, who in their robes presented him with a Bible and prayer-book superbly bound, and addressed him with a speech written on parchment. As they spoke the address he was requested to stand up, which he willingly did : but when they had departed, his servants were all unanimous that he had been made an Isauvi, that is, a Christian.

He frequently walked in Kensington-gardens by himself. As he was one day seated on a bench, an old gentleman and an old lady, taking him for one of his own attendants, accosted him. They asked him many questions :—How does your master like this, and how does he like that ? and so on. Tired with being questioned, he said, " He like all very well ; but one thing he not like—old man ask too many questions." Upon this he got up laughing, leaving the old gentleman to find out that he had been

speaking to the ambassador's person.

If the whole history of his residence in England were worth a narrative, it is evident that a note might be greatly lengthened, but perhaps that which would afford the most amusement would be, the publication of his journal, which he regularly kept during his absence from home, and which, on his return, was read with great avidity by his own countrymen.

DESCRIPTION OF MODERN AGRA. *By a Correspondent of the Calcutta Monthly Journal, May 1818.*

It is now about twenty years since I first visited Agra ; it was then in the possession of the Mahrattas, the most barbarous, sordid, avaricious race of men India ever produced. On my arrival lately I was highly gratified by observing the alterations which have taken place since it changed masters, and of which a slight description may not be unacceptable.

On entering the fort of Agra by the Delhy gateway, you pass through the Tripolia, a kind of outwork which connects the fort with the town. It is surrounded by bomb-proof apartments, with arcades in front, supported by stone pillars. Under the Mahrattas this place was filled with bazar, in a most disorderly and filthy state, through which a passage to the fort with difficulty could be effected. The arcades around were falling in, and the bomb-proofs going fast to ruin.

agreeably surprised was I to his bazar removed to a convenient situation adjoining the , on the north face of the the bomb-proofs repaired, the arcades which had fallen built, and the whole in as good a state of repair as when finished. In short, the Tri- is now a clean neat place, very convenient for the tents gentlemen passing and repass-

the entrance of the Delhy way I found a small draw- e, and the ascent to the of the place, which is considerable, paved with the military dress of Europe. Passing on through the great street, called the natives the Meena-bazar, an improvement did I conceive; the bomb-proof buildings on each side of this street, which were formerly falling fast upon us, and inhabited by a number of wretched natives, are now cleared out and rebuilt, and the tents fitted up with large iron doors for the reception of and gun-carriages. These tents are carrying on in front of the Delhy gate, so as to support the west face of the grand parade, the most improved part of the fort, and is on a level with the roofs of these buildings. This is a very improvement to the fort, affords excellent protection against the hot winds to the gun- ges, waggons, &c. lodged in these bomb-proofs. In a great square I did not find much improved as I expected. The sheds have been carried round three sides of it, for the accommodation of the main guard

and of the pioneers; but I lamented to observe, that the fine row of mango-trees by which it was formerly surrounded, and even the large banyan-tree, under which an old fakier used to sit, had been absolutely rooted out, and not a vestige remaining. The higher parts of the fort cannot be less than fifty-three or sixty feet above the level of the river; and as it is filled with marble, stone, and pukka buildings, the heat in the hot season is excessive; I was therefore a good deal surprised to find, that instead of endeavouring to alleviate this heat by planting trees, the few that were in the fort should have been rooted out; and I am well persuaded the increased unhealthiness of the place is chiefly to be attributed to this cause. In passing near the artillery barracks, I stopped and entered into conversation with some of the men. I asked them respecting the heat. They said that from April to September it was intolerable; that even the Sepoys, who were only one week on duty, sent one-fourth of their numbers to the hospital each week in those months. "Would you like to have trees planted round your barracks?"—"Good Lord, Sir, like it? it would be the greatest comfort to us."

The Mootee Musjud, which next to the Tauj is the most beautiful building at Agra, is built of white marble; under the Mah-rattas it was totally neglected, and would have soon gone to ruin. The seeds of the peapul-tree had found their way into the crevices of the marble turrets, and were pulling them fast to pieces; these have been lately taken

taken down and rebuilt, and the repairs nearly completed, at the expense of the British government.

The Birket, where the ordnance carriages, waggons, and tumbrils are kept, was so crowded with guns, from a six to sixty-four pounder, that it is with much difficulty such as are wanted can be got at. No magazine can be better supplied with implements of war and warlike stores than the fort of Agra; an inventory of ammunition would fill a moderate volume. The Dewani Aum, or public hall of audience, in the great square, has been converted into an armoury. The outer verandah has been built up and handsomely glazed, and the inside fitted up for all descriptions of arms in a very neat military style. The floor appears to have been lately laid with flag stones. This work is executed in a masterly manner; the stone masons at Agra are remarkably good workmen. In one end of the armoury I was surprised to find the clergyman's reading desk, and a number of forms for the congregation; and on inquiry I find, that this is the only Protestant church at Agra: there is, however, a Roman Catholic chapel in the town.

The palace and Dewani Khas are unoccupied and neglected, and the Ayena Khana and the baths in the same state as when I formerly saw them. The Dewani Khas was formerly the private hall of audience. It is white marble inside and out, and now consists of two fine rooms, of 60 feet by 24, or thereabouts, and very lofty; but on account of the

heat, no one will now remain in the fort, even in a marble palace, who can get a hovel at Nomalla.

Omer Sing's gateway has been opened since my former visit to Agra; it is on the south side of the fort, facing the Tauj. It has a small drawbridge, and the descent to it is neatly paved, the same as at the Delhy gate. Many of the old buildings, and a great deal of the rubbish in the interior of the fort, has been removed: there is still, however, a good deal remaining. The walls of the fort, inside and out, have been completely repaired, and have now a smart military appearance: people are now employed in clearing out the ditch, which is pucka, and in which a great quantity of mud and filth has accumulated; this will no doubt tend materially to improve the healthiness of the place. The ditch, which formerly terminated at the Bengally Boorje (*i. e.* the south-east angle of the fort), is now carrying on along the waterface, and is to join the river at the watergate, where a sluice is to be constructed for filling and emptying the ditch at pleasure: this will be a very great improvement.

From Omer Sing's gateway to the Tauj an excellent road has been cut through the ravines, parallel to the river, and several substantial pucka bridges built on it, so that it is now a safe and pleasant drive at all seasons of the year; whereas formerly it was only passable in the dry weather for horse and foot passengers.

The great gun, of which you have heard so much, has changed its position since my first visit to Agra: by a great exertion of all the

science of the most scientific of the army, it was moved the fort down to the ghauts, under the Shah Boorje, in ess to Calcutta, but the e failing, here it rests, and ly to remain, until the river away the bank from un-

the Tauj it is unnecessary to y thing, so many plans and ptions have been circulated. e it then to say, that up- of a lack of rupees has been ided in putting it into a per- state of repair, and that it now as beautiful as when rected.

OVERIES IN NEW SOUTH WALES.

y—Civil Department—General Orders by the Governor—Government House, Parramatta, 5th December, 1818.

e sanguine hope which his lency the governor was in- l to entertain, that by pur- the course of the Macqua- ver, which had been dis- ed running in a north-west ion, by John Oxley, esq. on turn last year from tracing ourse of the Lachlan to the -west, would have amply ensated for the disappoint- sustained on the occasion ; is excellency having in con- nce accepted the further es of Mr. Oxley, on a se- expedition, the party, cong- of John Oxley, esq. sur- geon-general ; John Harris, esq. surgeon of the 102nd regi- (who most liberally volun- d to accompany the expc-

dition) ; Mr. Evans, deputy sur- veyor-general ; and Mr. Charles Frazier, colonial botanist ; toge- ther with twelve men, having eighteen horses and two boats, and provisions for twenty-four weeks, took their final departure, on the 4th of June last, from a depot prepared for the occasion in the Wellington Valley, at about ninety miles west of Bathurst. And those gentlemen, and the entire party, having a few days since arrived at Port Jackson, by sea, from the northward, his ex- cellency is happy in offering his most cordial congratulations to John Oxley, esq. the conductor of this expedition, and to James Harris, esq. Mr. Evans, and Mr. Frazier, on their safe return from this arduous undertaking.

The zeal, talent, and attention manifested by Mr. Oxley, consid- ering the perils and privations to which he and his party were exposed, in exploring a tract of country so singularly circum- stanced in its various bearings, are no less honourable to Mr. Oxley, than conducive to the public interest ; and although the result from the principal ob- ject, namely, that of tracing the Macquarie river to its embou- chure, has not been so favourable as was anticipated, yet the failure is in a great degree counterba- lanced by other important disco- veries made in the course of this tour, which promise, at no very remote period, to prove of ma- terial advantage to this rising colony.

Whilst his excellency thus offers this public tribute of con- gratulation, he desires to accom- pany it with expressions of high

sense and approbation of Mr. Oxley's meritorious services on this occasion; which his excellency will not fail to represent to his majesty's ministers by the earliest opportunity.

The personal assistance and support so cheerfully and beneficially afforded to Mr. Oxley by the gentlemen associated with him on this expedition, demand his excellency's best acknowledgments, which he is happy thus publicly to request them to accept.

The following letter received from Mr. Oxley on his arrival at Port Stephens, on the 1st November last, is now published for general information on the interesting subject of this tour.—By his Excellency the Governor's command.

J. T. CAMPBELL, Sec.

Port Stephen, Nov. 1818.—Sir;—I have the honour to inform your excellency that I arrived at this port to-day; and circumstances rendering it necessary that Mr. Evans should proceed to Newcastle, I embrace the opportunity to make to your excellency a brief report of the route pursued by the western expedition entrusted to my direction.

My letter, dated the 22nd June last, will have made your excellency acquainted with the sanguine hopes I entertained from the appearance of the river, that its termination would be either in interior waters, or coast ways. When I wrote that letter to your excellency, I certainly did not anticipate the possibility that a very few days further travelling would lead us to its termination as an accessible river.

On the 29th of June, having traced its course, without the smallest diminution or addition, about seventy miles further to the N.N.W., there being a slight fresh in the river, it overflowed its banks; and although we were at the distance of near three miles from it, the country was so perfectly level, that the waters soon spread over the ground on which we were. We had been for some days before travelling over such very low ground, that the people in the boats finding the country flooded, proceeded slowly, a circumstance which enabled me to send them directions to return to the station we had quitted in the morning, where the ground was a little more elevated. This spot being by no means secure, it was arranged that the horses with provisions should return to the last high land we had quitted, a distance of sixteen miles; and as it appeared to me that the body of water in the river was too important to be much affected by the mere overflowing of its waters, I determined to take the large boat, and in her to endeavour to discover their point of discharge.

On the 2nd of July I proceeded in the boat down the river, and in the course of the day went near thirty miles on a N.N.W. course, for ten of which there had been, strictly speaking, no land, as the flood made the surrounding country a perfect sea; the banks of the river were heavily timbered, and many large spaces within our views, covered with the common reed, were also encircled by large trees. On the 3rd, the main channel of the river

as much contracted but up, the banks being under om a foot to eighteen in- The stream continued for venty miles on the same s yesterday, when we lost land and trees, the chan- he river winding through among which the water ut three feet deep, the having the same direc- he river. It continued in nner for near four miles hen without any previous in the breadth, depth, and of the stream, and when guine in my expectations entering the long sought , it all at once eluded our pursuit, by spreading on ts from N. W. to N. E. e plain of reeds which ded us, the river decreas- depth from upwards of feet to less than five feet, wing over a bottom of is blue mud, and the cur- l running with nearly the pidity as when the water fined within the banks of r. This point of junction erior waters, or where the rie ceased to have the a river, is in latitude 30° nd longitude 147° 10' E. assert positively that we the margin of the lake nto which this great body is discharged, might rea- be deemed a conclusion ; nothing but conjecture basis; but if an opinion hazarded from actual ap- es, which our subsequent ended more strongly to , I feel confident we were immediate vicinity of an ea, most probably a shoal

one, and gradually decreasing, or being filled up by the immense depositions from waters flowing into it from the higher lands; which on this singular continent, seem not to extend a few hundred miles from the sea coast, as west- ward of these bounding ranges (which, from the observations I have been enabled to make, ap- pear to me to run parallel to the direction of the coast) there is not a single hill, or other emi- nence, discoverable on this ap- parently boundless space, those isolated points excepted, on which we remained until the 28th July, the rocks and stones com- posing which are a distinct spe- cies from those found on the above ranges.

I trust your excellency will be- lieve that, fully impressed with the great importance of the ques- tions as to the interior formation of this great country, I was anx- iously solicitous to remove all ground for further conjecture, by the most careful observation on the nature of the country; which, though it was to me a proof that the interior was covered with water, yet I felt it my duty to leave no measure untried which could in any way tend to a direct elucidation of the fact.

It was physically impracticable to gain the edge of these waters by making a detour round the flooded portion of the country on the S.W. side of the river, as we proved it to be a barren wet marsh, overrun with the species of polygonum, and not offering a single dry spot to which our course might be directed; and that there was no probability of finding any in that direction I had

had a certain knowledge, from the observations made during the former expedition.

To circle the flooded country to the N.E. yet remained to be tried; and when, on the 7th July, I returned to the tents, which I found pitched on the high land before-mentioned, and whence we could see mountains at the distance of eighty miles to the eastward, the country between being a perfect level, Mr. Evans. was sent forward to explore the country to the N.E., that being the point on which I purposed to set forward.

On the 18th July Mr. Evans returned, having been prevented from continuing on a N.E. course beyond two days' journey, by waters running north-easterly through high reeds, and which were most probably those of the Macquarie river, as, during his absence, it had swelled so considerably, as entirely to surround us, coming within a few yards of the tent.—Mr. Evans afterwards proceeded more easterly, and at distance of fifty miles from the Macquarie river, crossed another much wider, but not so deep, running to the north. Advancing still more easterly, he went nearly to the base of the mountains seen from the tent, and returning by a more southerly route, found the country somewhat drier, but not in the least more elevated.

The discretionary instructions with which your excellency was pleased to furnish me, leaving me at liberty as to the course to be pursued by the expedition on its return to Port Jackson, I determined to attempt making the sea-coast on an easterly course, first

proceeding along the base of the high range before-mentioned, which I still indulged hopes to lead me to the margin of the sea, or any other interior waters; this portion of New South Wales might contain, and embrace a low line of coast, on which small openings remained unexamined, at the same time that the knowledge obtained of the country we might encircle might materially tend to the advantage of the colony, in the event of communication with the interior being discovered.

We quitted this station on the 30th July, being in latitude 18° S., and longitude 147° E. our route for the coast, and on the 8th August arrived at a lofty range of mountains to which our course had been directed. From the highest point of the range we had the most extensive prospect: from south by the east to the north, it was one vast plain resembling the ocean in extent, but yet without water being discerned, the range of high mountains extending to the N.E. by New South Wales, the elevated points of which were distinguished upwards of one hundred and twenty miles.

From this point, in conformity to the resolution I had made of quitting the Macquarie river and pursuing a N.E. course, but encountering numerous difficulties, from the country being an entire marsh, interspersed with quicksands, until the 20th August, when finding I was surrounded by bogs, I was instantly compelled to take a more easterly course, having previously proved that the coast could not be traversed on

iating from the main hills which bound the although partial dry por- vel alluvial land extend r base westerly to a dis- ch I estimate to exceed red and fifty miles, be- s gradually lost in the hich I am clearly con- ver the interior.

iteration in our course terly soon brought us ery different description y, forming a remarkable to that which had so ipied us. Numerous fine running northerly, wa- ch and beautiful coun- ough which we passed,

7th September, when ed the meridian of Syd- also the most elevated nd in New South Wales, n in latitude $31^{\circ} 03' S.$

afterwards considerably sed and impeded by very untains. On the 20th er we gained the summit ost elevated mountain in sive range, and from it gratified with a view of a, at a distance of fifty e country beneath us bed into an immense tri- alley, the base of which l along the coast, from e Brothers on the south, nd north of Smoky Cape. he further gratification to we were near the source e stream running to the descending the moun-

followed the course of ; increased by many ac- until the 8th October, e arrived on the beach e entrance of the port ceived it, having passed

over, since the 18th July, a tract of country near five hundred miles in extent from west to east.

This inlet is situated in latitude $31^{\circ} 23' 30'' S.$, and longitude $152^{\circ} 50' 18'' E.$, and had been previously noticed by capt. Flinders; but from the distance at which he was necessarily obliged to keep from the coast, he did not discover that it had a navigable entrance. Of course, our most anxious attention was directed to this important point; and although the want of a boat rendered the examination as to the depth of water in the channel, incomplete, yet there appeared to be at low water at least three fathoms, with a safe though narrow entrance between the sand rollers on either hand. Having ascertained thus far, and that by its means the fine country on the banks, and in the neighbourhood of the river might be of future service to the colony, I took the liberty to name it Port Macquarie, in honour of your excellency, as the original promoter of the expedition.

On the 12th October we quitted Port Macquarie on our course for Sydney, and although no charts can be more accurate in their outline and principal points, than those of captain Flinders, we soon experienced how little the best marine charts can be depended upon, to show all the inlets and openings upon an extensive line of coast. The distance his ship was generally at from that portion of the coast we had to travel over, did not allow him to perceive openings, which, though doubtless of little consequence to shipping, yet presented the most serious difficulties to travellers

travellers by land, and of which, if they had been laid down in the chart, I should have hesitated to have attempted the passage, without assistance to the sea-ward. As it is, we are indebted for our preservation, and that of the horses, to the providential discovery of a small boat on the beach, which the men with the most cheerful alacrity carried upwards of ninety miles on their shoulders, thereby enabling us to overcome obstacles otherwise insurmountable.

Until within these few days, I hoped to have had the satisfaction to report the return of the expedition without accident to any individual composing it; but such is the ferocious treachery of the natives along the coast to the northward, that our utmost circumspection could not save us from having one man (W. Blake) severely wounded by them; but by the skilful care bestowed upon him by Dr. Harris (who accompanied the expedition as a volunteer, and to whom, upon this occasion and throughout the whole course of it, we are indebted for much valuable assistance), I trust his recovery is no longer doubtful.

The general merits of Mr. Evans are so well known to your excellency, that it will here be sufficient to observe, that by his zealous attention to every point that could facilitate the progress of the expedition, he has endeavoured to deserve a continuance of your excellency's approbation.

Mr. Charles Frazier, the colonial botanist, has added near 700 new specimens to the already extended catalogue of Australian

plants, besides many seeds and in the collection and vation he has indefatigably deavoured to obtain your excellency's approval of his

I confidently hope the journal of the expedition will evince to your excellency the exemplary and praiseworthy conduct of the men employed, and I feel the sincerest in earnestly soliciting your excellency's favour and consideration.

Respectfully hoping, perusal and inspection of the journals and charts of the expedition will confirm the opinion that the course I pursued in the execution of your excellency's instructions is honoured by your approbation, I beg leave to subscribe myself with the greatest respect your excellency's most obedient and humble servant,

(Signed)

J. OXLEY, Surgeon
To his Exc. Governor
&c. &c.

*Extract of a General Order
Governor.*

"Government-House, May 31, 1819.—His Excellency the governor having perused the journal lately made by Charles Frazier, esq. by the way of the route to Bathurst, in the covered country westward of the Blue Mountains, takes this opportunity publicly to announce the happy result of an expedition which promises to contribute to the very eminent degree, to the interest and prosperity of the colony.—The communication of the western country has

before over a long and difficult range of mountains, alike unsuitable to man and cattle, from parched and barren state, it became an object of great importance to discover another route, whereby those almost insurmountable barriers would be removed, and a more practicable, consequently less hazardous route effected to the rich and extensive plains of Bathurst.—His Excellency adverts with pleasure to Mr. Throsby's general report of the capabilities, qualities, and features of the country intervening between the Cow Pastures and Bathurst; which he represents to be, with few exceptions, rich, fertile, and luxuriant, abounding in fine runs of water, and all happy varieties of soil, hill, and valley, to render it not only

delightful to the view, but highly suitable to all the purposes of pasturage and agriculture.—The importance of these discoveries is enhanced by the consideration that a continuous range of valuable country, extending from the Cow Pastures to the remote plains of Bathurst, is now fully ascertained, connecting those countries with present settlements on this side the Nepean.—His excellency the governor, highly appreciating Mr. Throsby's services on this occasion, offers him this public tribute of acknowledgment, for the zeal and perseverance by which he was actuated throughout this arduous undertaking; and desires his acceptance of one thousand acres of land in any part of the country discovered by himself that he may choose to select.

MISCELLANIES.

MONASTIC SCHOOLS IN RUSSIA.

[*Asiatic Journal*, October.]

THE emperor of Russia has advanced 180,000 roubles, out of 300,000, the sum destined for the establishment and support of conventional schools, or seminaries, attached to the monasteries in Russia. In the ukase published upon the subject, his majesty expresses himself in the following terms:—"It is my personal wish to see schools of truth flourish. Minds are not truly enlightened, except by that divine light which shines in darkness, and which darkness cannot extinguish. Jesus Christ is the way, the truth, and the life. Education ought to be founded on practical Christianity.

DISCOVERY OF ANTIQUITIES IN EGYPT.

[*Philosophical Magazine*, March.]

From Thebes M. Belzoni proceeded to Nubia to examine the great Temple of Ybsambul [Ibsambul, Ebsambul, or Absimbul], which lies buried more than twice its height in the sands near the second cataract. On this occasion, however, he was unable to effect any thing, and therefore returned to Thebes,

where he employed his new researches at the Temple of Karnack. Here, several feet under-ground, he found, surmounted by a wall, a range of statues about forty in number, with heads of lions on busts of black granite, and for the most part beautifully executed. The first was absent, on his second visit. Ybsambul, Mrs. Belzoni succeeded in digging up at the place a statue of Jupiter holding a ram's head on his lap. And on his second visit to Thebes in 1817, M. Belzoni discovered a colossal head of fine granite, larger than the head of Memnon, measuring ten feet from the neck to the top of the crown, with which it is exquisitely finished, and in perfect preservation. He carried it to Cairo one of the arrangements for bringing to this statue. He succeeded so well in removing Memnon, may we not hope he will be encouraged to attempt the removal of this, and that we may ere long see it placed beside its colossal companion in the British Museum.

After this, M. Belzoni proceeded again to Nubia, in spite of many hindrances, much inhospitality which he experienced, succeeded in the celebrated temple of

which no European had ever entered. In this temple largest and most wonderful (situation in Egypt or in Nubia), and fourteen chambers and at hall; and in the latter, eight colossal figures, thirty feet high. The walls and pilasters are covered with hieroglyphics beautifully cut, and groups of large figures in fine execution. At the end of the gallery he found four sitting statues about twelve feet high, cut of the natural rock and preserved. Belzoni's labour here conceived when we state, on commencing his operations, the bed of loose sand which had to clear away was upwards of thirty feet deep. He carried off two lions with the heads of Ammon, and a small statue of Amen Ammon. From the style of sculpture found in this temple to any thing yet known in Egypt, Mr. Salt inferred that the arts descended thither from Ethiopia.

Belzoni, by a kind of tact which seems to be peculiarly his, discovered, on his return to Egypt, six tombs in the valley of El Moluck, or the tombs [under the gates] of the kings, a part of the mountains where every observer would hardly have sought for such excavations, all in a perfect state, not having been viewed by previous travellers, and giving a wonderful proof of Egyptian magnificence and posthumous splendor. From the front entrance to the inner-chamber in one of them, the way of passage, cut through the solid rock, is 309 feet: the chambers, which are numerous,

cut in a pure white rock, are covered with paintings *al fresco*, well executed, and with hieroglyphics quite perfect, and the colours as fresh as if newly laid on. In one of these chambers he found an exquisitely beautiful sarcophagus of alabaster nine feet five inches long, three feet nine inches high, and two feet one inch wide, covered within and without with hieroglyphics in *intaglio*, sounding like a bell, and as transparent as glass—supposed, by M. Belzoni, to have been the depository of the remains of Apis. In the innermost room he found the carcase of a bull, embalmed with asphaltum, which seems to give some confirmation to his idea. We are happy to learn that this matchless production is now on its way to England, to be placed by the side of the sarcophagus supposed to have contained the remains of Alexander. Mr. Salt, assisted by Mr. Beechey (son of the well-known artist of the same name), has, with much labour and care, copied several of the paintings within this tomb, which will by-and-by be given to the public. These paintings are quite fresh and perfect. The colours employed are “vermilion, ochres, and indigo;” and yet they are not gaudy, owing to the judicious balance of colours, and the artful management of the blacks. It is quite obvious (says Mr. Salt) that they worked on a regular system, which had for its basis, as Mr. West would say, the colours of the rainbow; as there is not an ornament throughout their dresses where the red, yellow, and blue, are not alternately mingled,

gled, which produces a harmony that in some of the designs is really delicious.

It is a curious fact, that in one of the Theban tombs two statues of wood, a little larger than life, were found as perfect as if newly carved, excepting in the sockets of the eyes, which had been of metal, probably copper.

ON LARCH TIMBER, BY THE DUKE
OF ATHOL.

[*Philosophical Magazine, June.*]

The introduction of this most valuable tree into Scotland, at least into the county of Perth, took place in the year 1738; when a Highland gentleman, Mr. Menzies, of Glenlyon, Perthshire, brought a few small plants from London; his servant carrying them on horseback on the top of his portmanteau. Some of these plants he left at Monzie, near Crieff; some at Dunkeld, and the remainder he carried home, where some have been cut, within these few years, of a great size. The four left at Monzie are in full vigour (1807); the largest nearly twelve feet in circumference, at three feet and a half above the ground. Those left at Dunkeld are also in full vigour (1807); some were placed in a green-house, but not thriving, were turned out. The largest is about twelve feet in girth, at three feet and a half above the ground, and is computed to contain four load of solid timber, or two hundred feet. Some years elapsed before any more larch were planted at Dunkeld. A few, however, were planted at Blair in that interval; but the larch plant-

ed between the years 1740 and 1750 were inconsiderable in point of number. For the planting of the rocky mountains round Dunkeld, with a view to their growing wood, which has since been done, would at that time have been treated as a chimerical idea. The plantations on the lower grounds were necessarily small in extent.

Trials of Larch.

1777.—It is now thirty years since I have cut and used larch for different purposes; and as yet I have met with no instance to induce me to depart from my opinion, that larch is the most valuable acquisition, in point of useful timber, that has ever been introduced into Scotland; and I speak from having used and cut larch of from fifty to sixty years' growth.

The small larch I have used were thinned out of plantations for upright paling, rails, and hurdles. Those fit for sawing were sawn through the middle; the smaller used round, with the bark on. I have found young larch, so used, more durable than oak copse-wood of twenty-four years' growth.

1795.—The larger and older larch which I have cut, have been used for a variety of purposes; boats built of it have been found sound, when the ribs, made of oak forty years old, were decayed. I have for years built all my ferry and fishing-boats of larch.

In mill-work, and especially in mill-axes (where oak only used formerly to be employed), larch has been substituted with the best effect.

1806.—Last winter, in cutting up an old decayed mill-wheel, these parts of the water-cogs, &c. which had been repaired with larch about twenty years before, though black on the surface, on the hatchet being applied, were found as sound and fresh as when put up.

There is not a sufficient quantity of larch of fit growth, to bring that wood into general use for country purposes; but such as has been cut and sold, has brought two shillings per foot, in some instances more. About the year 1800, I received twelve guineas for a single larch-tree of fifty years' growth. I was at the same time offered twenty pounds for another larch, which I declined cutting. The tree sold had eighty-nine solid square feet of wood; and the purchaser cut two if not three axles for mills out of it.

1806.—Last year I cut out twenty larch-trees from a clump where they stood too thick. I left the finest trees standing, and received one hundred guineas for the twenty trees taken out, being at the rate of two shillings per foot. The largest of the twenty trees measured one hundred and five feet in length, five feet eleven inches in girth at four feet from the ground, and contained ninety-four square feet of timber. One tree measured one hundred and six feet; two, one hundred and seven; and one, one hundred and nine feet in length; but, being drawn up by standing too close, did not contain so much solid wood as the first.

It is not in the quality only of

the wood that I consider the larch a great acquisition; but in the nature of the ground, where it will not only grow luxuriantly, but I am persuaded will arrive at a size fit for any purpose to which wood can be applied.

The lower range of the Gram-pian Hills, which extend to Dunkeld, are in altitude from one thousand to seventeen hundred feet above the level of the sea; a range of mountains to the height of twelve hundred is now in the course of being planted. They are in general barren and rocky, composed of mountain schist slate and iron stone. Up to the height of twelve hundred feet, larch are planted, and grow luxuriantly, where the Scotch fir, formerly considered the hardiest tree of the north, cannot rear its head. In considerable tracts, where fragments of shivered rocks are strewed so thick, that vegetation scarcely meets the eye, the larch puts out as strong and vigorous shoots as are to be found in the valleys below, or in the most sheltered situations.

I have been employed for the last five years in forming a very extensive plantation of larch, on mountains similar to what I have described. The plantation embraces a tract of nearly eighteen hundred Scotch acres, nearly one thousand of which I have already planted (1807), mostly with larch, placing Scotch fir only in the wet grounds where larch will not grow, and mixing spruce on the highest points, finding from experience that that tree is next in value to the larch, and thrives in Alpine situations almost equally well.

In

In all the larch which I have cut, I have never met with one instance of decay. But I have seen larch cut in wet situations and tilly soil on low moors some miles below Dunkeld, which at forty years of age were decaying at the heart. The larch is certainly an Alpine tree, and does not thrive in wet situations.

In 1795 a species of blight appeared on the larch, which in low situations destroyed numbers. The season in which this was observed to any extent, the frosts were very severe late in the spring, and the clouds of frost fog, which rested on the larch, in calm mornings, when just coming into leaf, produced the blight. I did not find trees above twenty-five or thirty feet in height affected by it, neither did it appear at all on the higher grounds, where a slight breeze of air could shake the trees. For eight or ten years past, severe frosts at the end of spring and beginning of summer, have partially brought a somewhat similar blight, which, though not essentially injuring the growth of the wood, except in a few instances, nearly destroyed the flower of the larch,

which has prevented my having been able to obtain larch seed in the quantity I wished, in order to carry my intention into effect to cover all the mountainous tracts near Dunkeld belonging in property to me, with larch; and I am persuaded, at the distance of sixty or seventy years from planting, will be fit for most purposes.

The comparative value of larch and Scotch fir will not be in calculation. In the year 1800 I sold a larch of fifty years old for twelve guineas; while a fir, of the same age, and in the same soil, brought fifteen shillings. A fall of snow will destroy in a night, and break and tear down sometimes more than one-third of a fir plantation. This I have often experienced at all ages. High winds also destroy fir numbers.

The larch are never broken by snow, and very seldom torn by winds, and then only in small trees. Scotch firs are bad shabby growers (with me at least), at about eight hundred feet of altitude. Larch grows luxuriantly some hundred feet higher.

NATURAL HISTORY.

EARTHQUAKE IN THE CARACCAS.

(*Humboldt's Travels.*)

A shock felt at Caraccas, in the month of December, 1811, the only one, that preceded the horrible catastrophe of the 26th of March, 1812. The inhabitants of Terra Firma were ignorant of the agitations of the earth in the island of St. Vincent, on one side, and on the other, of those that were felt in the basin of the Mississippi, &c., on the 7th and 8th of February, 1812, the earth was day and night in perpetual oscillation.

A great drought prevailed during this period in the province of Venezuela. Not a single drop of rain had fallen at Caraccas, or in the country ninety leagues distant, during the five months which preceded the destruction of the capital. The 26th of March was a remarkably hot day. The air was calm, and the sky clouded. It was Holy Thursday, and a great part of the population was assembled in the churches. Nothing seemed to augur the calamities of the day.

At seven minutes after five in the afternoon the first shock was felt; it was sufficiently

powerful, to make the bells of the churches toll; it lasted five or six seconds, during which time, the ground was in a continual undulating movement, and seemed to heave up like a boiling liquid. The danger was thought to be past, when a tremendous subterraneous noise was heard, resembling the rolling of thunder, but louder, and of longer continuance, than that heard within the tropics in time of storms. This noise preceded a perpendicular motion of three or four seconds, followed by an undulatory movement somewhat longer. The shocks were in opposite directions, from north to south, and from east to west. Nothing could resist the movement from beneath upward, and undulations crossing each other. The town of Caraccas was entirely overthrown. Thousands of the inhabitants (between nine and ten thousand) were buried under the ruins of the houses and churches. The procession had not yet set out; but the crowd was so great in the churches, that nearly three or four thousand persons were crushed by the fall of their vaulted roofs. The explosion was stronger toward the north, in that

that part of the town situate nearest the mountain of Avila, and the Silla. The churches of la Trinidad and Alta Gracia, which were more than one hundred and fifty feet high, and the naves of which were supported by pillars of twelve or fifteen feet diameter, left a mass of ruins scarcely exceeding five or six feet in elevation. The sinking of the ruins has been so considerable, that there now scarcely remain any vestiges of pillars or columns. The barracks, called *El Quartel de San Carlos*, situate farther north of the church of the Trinity, on the road from the Custom-house de la Pastora, almost entirely disappeared. A regiment of troops of the line, that was assembled under arms, ready to join the procession, was, with the exception of a few men, buried under the ruins of this great edifice. Nine tenths of the fine town of Caraccas were entirely destroyed. The walls of the houses that were not thrown down, as those of the street San Juan, near the Capuchin hospital, were cracked in such a manner, that it was impossible to run the risk of inhabiting them. The effects of the earthquake were somewhat less violent in the western and southern parts of the city, between the principal square and the ravine of Caraguata. There, the cathedral, supported by enormous buttresses, remains standing.

Estimating at nine or ten thousand the number of the dead in the city of Caraccas, we do not include those unhappy persons, who, dangerously wounded, perished several months after, for

want of food and proper care. The night of Holy Thursday presented the most distressing scene of desolation and sorrow. That thick cloud of dust, which, rising above the ruins, darkened the sky like a fog, had settled on the ground. No shock was felt and never was a night more calm, or more serene. The moon nearly full, illumined the round domes of the Silla, and the aspect of the sky formed a perfect contrast to that of the earth covered with the dead, and heaped with ruins. Mothers were seen bearing in their arms the children, whom they hoped to recall to life. Desolate families wandered through the city, seeking a brother, a husband, a friend of whose fate they were ignorant and whom they believed to be lost in the crowd. The people pressed along the streets, who could no more be recognised but by long lines of ruins.

All the calamities experienced in the great catastrophes of Lisbon, Messina, Lima, and Rumbamba were renewed on the first day of the 26th of March, 1819. "The wounded, buried under ruins, implored by their cries the help of the passers by, and near two thousand were dug out. Never was pity displayed in more affecting manner; never had it been seen more industriously active, than in the efforts employed to save the miserable victims, whose groans reached the ear. Implements for digging and clearing away the ruins were entirely wanting; and the people were obliged to use their bare hands, to disinter the living. The wounded, as well as the sick,

escaped from the hospitals, laid on the banks of the river Guayra. They found shelter but the foliage of Beds, linen to dress the dead, instruments of surgery, medicines, and objects of the urgent necessity, were buried under the ruins. Every thing, even food, was wanting the first days. Water was as scarce in the interior of the city. The commotion rent the pipes of the fountains; the falling in of the earth choked up the springs that fed them; and it became necessary, in order to have water to go down to the river Guayra, which was considerably raised; and then vessels to carry the water were wanting. There remained a duty to be fulfilled toward the dead, ended at once by piety, and the fear of infection. It being impossible to inter so many thousand corpses, half-buried under ruins, commissaries were appointed to burn the bodies: and for this purpose funeral piles were kindled between the heaps of ruins. This ceremony lasted several days. Amid so many calamities, the people devoted themselves to those religious duties, which they thought the most fitted to appease the wrath of heaven. Some, assembling in processions, sung psalms and hymns; others, in a state of distraction, confessed themselves aloud in the streets. In Quito was now repeated what had been remarked in the province of Quito, after the terrible earthquake of 1797; a number of marriages were con-

tracted between persons, who had neglected for many years to sanction their union by the sacerdotal benediction. Children found parents, by whom they had never till then been acknowledged; restitutions were promised by persons, who had never been accused of fraud; and families, who had long been enemies, were drawn together by the tie of common calamity." If this feeling seemed to calm the passions of some, and open the heart to pity, it had a contrary effect on others, rendering them more rigid and inhuman. In great calamities vulgar minds preserve still less goodness than strength: misfortune acts in the same manner, as the pursuits of literature and the study of nature; their happy influence is felt only by a few, giving more ardour to sentiment, more elevation to the thoughts, and more benevolence to the disposition.

SCENERY ON THE RIO APURË.

[From the same.]

During the whole of my voyage from San Fernando to San Carlos del Rio Negro, and thence to the town of Angostura, I confined myself to writing day by day, either in the boat, or where we disembarked at night, what appeared to me worthy of observation. Violent rains, and the prodigious quantity of mosquitoes with which the air is filled on the banks of the Oroonoko and the Cassiquiare, necessarily occasioned some breaks in this labour; which I supplied by notes taken a few days after. The following pages are extracts from my

my journal. Whatever is written while the objects we describe are before our eyes bears a character of truth, I had almost said of individuality, which gives attraction to things the least important.

In order to avoid useless repetitions, I have sometimes added to this journal the notions I afterward acquired respecting the objects I had described. The more nature appears great and awful in forests traversed by immense rivers, the more we should preserve in our pictures of the scenery that character of simplicity, which constitutes the principal and often the sole merit of a first sketch.

March the 31st. A contrary wind obliged us to remain on shore till noon. We saw a part of some cane-fields laid waste by the effect of a conflagration, which had spread from a neighbouring forest. The wandering Indians every where set fire to the forest where they have encamped at night; and during the season of drought, vast provinces would be the prey of these conflagrations, if the extreme hardness of the wood did not prevent the trees from being entirely consumed. We found trunks of desmanthus, and mahogany (*cahoba*), that were scarcely charred two inches deep.

Having passed the Diamante, we entered a land inhabited only by tigers, crocodiles, and *chiguitres*, a large species of the genus *cavia* of Linneus. We saw flocks of birds, crowded so close together, as to appear against the sky like a dark cloud, that every instant changed it's form. The

river widens by degrees. One of it's banks is generally barren and sandy from the effect of inundations: the other is higher, and covered with lofty trees. Sometimes the river is bordered by forests on each side, and forms a straight canal a hundred and fifty toises broad. The manner in which the trees are disposed is very remarkable. We first find bushes of *sauzo*, forming a kind of hedge four feet high; and appearing as if they had been clipped by the hand of man. A copse of cedars, brazilletoes, and *ligum vitae*, rises behind this hedge. Palm-trees are rare; we saw only a few scattered trunks of the thorny piritu and corozo. The large quadrupeds of those regions, the tigers, tapirs, and peccaris, have made openings in the hedge of *sauzos* which we have just described. Through these the wild animals pass, when they come to drink at the river. As they fear but little the approach of a boat, we had the pleasure of viewing them pace slowly along the shore, till they disappeared in the forest, which they entered by one of the narrow passes left here and there between the bushes. I confess that these scenes, which were often repeated, had ever for me a peculiar attraction. The pleasure they excite, is not owing solely to the interest, which the naturalist takes in the objects of his study; it is connected with a feeling common to all men, who have been brought up in the habits of civilization. You find yourself in a new world, in the midst of untamed and savage nature. Now it is the jaguar, the

beautiful panther of America, appears upon the shore; and he hocco with it's black eye and it's tufted head, moves slowly along the sand.

Animals of the most different classes succeed each other. *como en el Paraiso*," said a lot, an old Indian of the country. Every thing indeed recalls to mind that state of primitive world, the innocence and felicity of which ancient and venerable traditions have transmitted to all nations: in carefully observing the manners of animals between themselves, we see that they mutually love and fear each other. The language has ceased; and in the paradise of the American, as well as every where else, and long experience has shown all beings, that benignity can be found in alliance with strength.

On the shore is of considerable breadth, the hedge of reeds remains at a distance from the river. In this intermediate ground we see crocodiles, sometimes to the number of eight or ten stretched on the sand. Males, the jaws opened at right angles, they repose by each other without displaying any of those marks of affection, observed in animals that live in society. The troop separates as soon as it quits the shore. It is, however, probably composed of one male only, and many females; as Mr. Descourtils, who has lately studied the crocodiles of St. Domingo, observed before the males are rare, because they kill one another in fighting

during the season of their loves. These monstrous reptiles are so numerous, that throughout the whole course of the river we had almost at every instant five or six in view.

The crocodiles of the Apure find abundant nourishment in the chiguire (the thick-nosed tapir of naturalists), which live fifty or sixty together in troops on the banks of the river. These unfortunate animals, as large as our pigs, have no weapons of defence; they swim somewhat better than they run: yet they become the prey of the crocodiles in the water, as of the tigers on land. It is difficult to conceive, how, persecuted by two powerful enemies, they can become so numerous; but they breed with the same rapidity as the cobayas, or little guinea-pigs, which come to us from Brazil.

Near the Jovial nature assumes an awful and savage aspect. We there saw the largest tiger we had ever met with. The natives themselves were astonished at it's prodigious length, which surpassed that of all the tigers of India I had seen in the collections of Europe. The animal lay stretched beneath the shade of a large zamang. It had just killed a chiguire, but had not yet touched it's prey, on which it kept one of it's paws. The zamuroes, a species of vulture which we have compared above to the percnopterus of Lower-Egypt, were assembled in flocks to devour the remains of the jaguar's repast. They afforded the most curious spectacle, by a singular mixture of boldness and timidity. They

They advanced within the distance of two feet from the jaguar, but at the least movement the beast made they drew back. In order to observe more nearly the manners of these animals, we went into the little boat, that accompanied our canoe. Tigers very rarely attack boats by swimming to them; and never but when their ferocity is heightened by a long privation of food. The noise of our oars led the animal to rise slowly, and hide itself behind the *sauso* bushes, that bordered the shore. The vultures tried to profit by this moment of absence to devour the chiguire: but the tiger, notwithstanding the proximity of our boat, leaped into the midst of them; and in a fit of rage, expressed by his gait and the movement of his tail, carried off his prey to the forest. The Indians regretted, that they were not provided with their lances, in order to go on shore, and attack the tiger. They are accustomed to this weapon, and were right in not trusting to our musquets, which, in an air so excessively humid, often miss fire.

Continuing to descend the river, we met with the great herd of

chiguire, which the tiger had put to flight, and from which he had selected his prey. These animals saw us land with great tranquillity; some of them were seated, and gazed upon us, moving the upper lip like rabbits. They seem not to be afraid of men, but the sight of our great dog put them to flight. Their hind legs being longer than their fore legs, their pace is a slight gallop, but with so little swiftness, that we succeeded in catching two of them. The chiguire, which swims with the greatest agility, utters a short moan in running, as if its respiration were impeded. It is the largest of the family of gnawing animals. It defends itself only at the last extremity, when it is surrounded and wounded. Having great strength in its grinding teeth, particularly the hinder ones, which are pretty long, it can tear the paw of a tiger, or the leg of a horse, with its bite. Its flesh has a smell of musk somewhat disagreeable; yet hams are made of it in this country, which almost justifies the name of *water hog*, given to the chiguire by some of the older naturalists.

POETRY.

TO BRITAIN.

[*Montgomery's Greenland.*]

I LOVE Thee, O my native Isle !
 Dear as my mother's earliest smile ;
 Sweet as my father's voice to me
 Is all I hear, and all I see,
 When, glancing o'er thy beauteous land,
 In view thy *Public Virtues* stand,
 The guardian angels of thy coast,
 Who watch the dear *domestic Host*,
 The *Heart's Affections*, pleased to roam
 Around the quiet haven of home.

I love Thee,—when I mark thy soil
 Flourish beneath the peasant's toil,
 And from its lap of verdure throw
 Treasures, which neither Indies know.

I love Thee,—when I hear around
 Thy looms, and wheels, and anvils sound,
 Thine engines heaving all their force,
 Thy waters labouring on their course,
 And arts, and industry, and wealth
 Exulting in the joys of health.

I love Thee,—when I trace thy tale
 To the dim point where records fail ;
 Thy deeds of old renown inspire
 My bosom with our fathers' fire ;
 A proud inheritance I claim
 In all their sufferings, all their fame ;
 Nor less delighted when I stray
 Down history's lengthening, widening way,
 And hail Thee in thy present hour,
 From the meridian arch of power,
 Shedding the lustre of thy reign,
 Like sunshine, over land and main.

I love

I love Thee,—when I read the lays,
Of British bards in elder days,
Till, rapt on visionary wings,
High o'er thy cliffs my spirit sings;
For I, among thy living choir,
I, too, can touch the sacred lyre.

I love Thee,—when I contemplate
The full-orb'd grandeur of thy state;
Thy laws and liberties, that rise,
Man's noblest works beneath the skies,
To which the pyramids were tame,
And Grecian temples bow their fame:
These, thine immortal sages wrought
Out of the deepest mines of thought:
These, on the scaffold, in the field,
Thy warriors won, thy patriots seal'd;
These, at the parricidal pyre,
Thy martyrs sanctified in fire,
And, with the generous blood they spilt,
Wash'd from thy soil their murderers' guilt,
Cancell'd the curse which vengeance sped,
And left a blessing in its stead.
—Can words, can numbers count the price,
Paid for this little paradise?
Never, oh! never be it lost;
The land is *worth* the price it cost.

I love Thee,—when thy sabbath dawns
O'er woods and mountains, dales and lawns,
And streams, that sparkle while they run,
As if their fountain were the sun:
When, hand in hand, thy tribes repair,
Each to their chosen house of prayer,
And all in peace and freedom call
On Him, who is the Lord of all.

I love Thee,—when my soul can feel
The seraph-ardours of thy zeal:
Thy charities, to none confin'd,
Bless, like the sun, the rain, the wind;
Thy schools the human brute shall raise,
Guide erring youth in wisdom's ways,
And leave, when we are turn'd to dust,
A generation of the just.

I love Thee,—when I see Thee stand
The hope of every other land;
A sea-mark in the tide of time,
Rearing to heaven thy brow sublime;
Whence beams of gospel-splendor shed
A sacred halo round thine head;

And gentiles from afar behold,
(Not as on Sinai's rocks of old),
'GOD,—from eternity conceal'd,—
In his own light, on Thee reveal'd.

I love Thee,—when I hear thy voice
Bid a despairing world rejoice,
And loud from shore to shore proclaim,
In every tongue, Messiah's name;
That name, at which, from sea to sea,
All nations *yet* shall bow the knee.

I love Thee:—next to heaven above,
Land of my fathers! Thee I love;
And, rail thy slanderers as they will,
“Will all thy faults I love Thee” still:
For faults Thou hast, of heinous size;
Repent, renounce them, ere they rise
In judgment; lest thine ocean-wall
With boundless ruin round Thee fall,
And that, which was thy mightiest stay,
Sweep all thy rocks like sand away.

[*From Crabb's Tales.*]

“ ‘ Let me not have this gloomy view,
“ ‘ About my room, around my bed;
“ ‘ But morning roses, wet with dew,
“ ‘ To cool my burning brows instead.
“ ‘ As flow'rs that once in Eden grew,
“ ‘ Let them their fragrant spirits shed,
“ ‘ And every day the sweets renew,
“ ‘ Till I, a fading flower, am dead.

“ ‘ Oh! let the herbs I loved to rear
“ ‘ Give to my sense their perfumed breath;
“ ‘ Let them be placed about my bier,
“ ‘ And grace the gloomy house of death.
“ ‘ I'll have my grave beneath an hill,
“ ‘ Where, only Lucy's self shall know
“ ‘ Where runs the pure pellucid rill
“ ‘ Upon its gravelly bed below;
“ ‘ There violets on the borders blow,
“ ‘ And insects their soft light display,
“ ‘ Till as the morning sun-beams glow,
“ ‘ The cold phosphoric fires decay.

“ ‘ That

" ' That is the grave to Lucy shown,
 " ' The soil a pure and silver sand,
 " ' The green cold moss above it grown,
 " ' Unpluck'd of all but maiden hand :
 " ' In virgin earth, till then unturn'd,
 " ' There let my maiden form be laid,
 " ' Nor let my changed clay be spurn'd,
 " ' Nor for new guest that bed be made.

" ' There will the lark,—the lamb, in sport,
 " ' In air,—on earth,—securely play,
 " ' And Lucy to my grave resort,
 " ' As innocent, but not so gay.
 " ' I will not have the churchyard ground,
 " ' With bones all black and ugly grown,
 " ' To press my shivering body round,
 " ' Or on my wasted limbs be thrown.

" ' With ribs and skulls I will not sleep,
 " ' In clammy beds of cold blue clay,
 " ' Through which the ringed earth-worms creep,
 " ' And on the shrouded bosom prey ;
 " ' I will not have the bell proclaim
 " ' When those sad marriage rites begin,
 " ' And boys, without regard or shame,
 " ' Press the vile mouldering masses in.

" ' Say not, it is beneath my care ;
 " ' I cannot these cold truths allow ;
 " ' These thoughts may not afflict me there,
 " ' But, O ! they vex and tease me now.
 " ' Raise not a turf, nor set a stone,
 " ' That man a maiden's grave may trace,
 " ' But thou, my Lucy, come alone,
 " ' And let affection find the place.

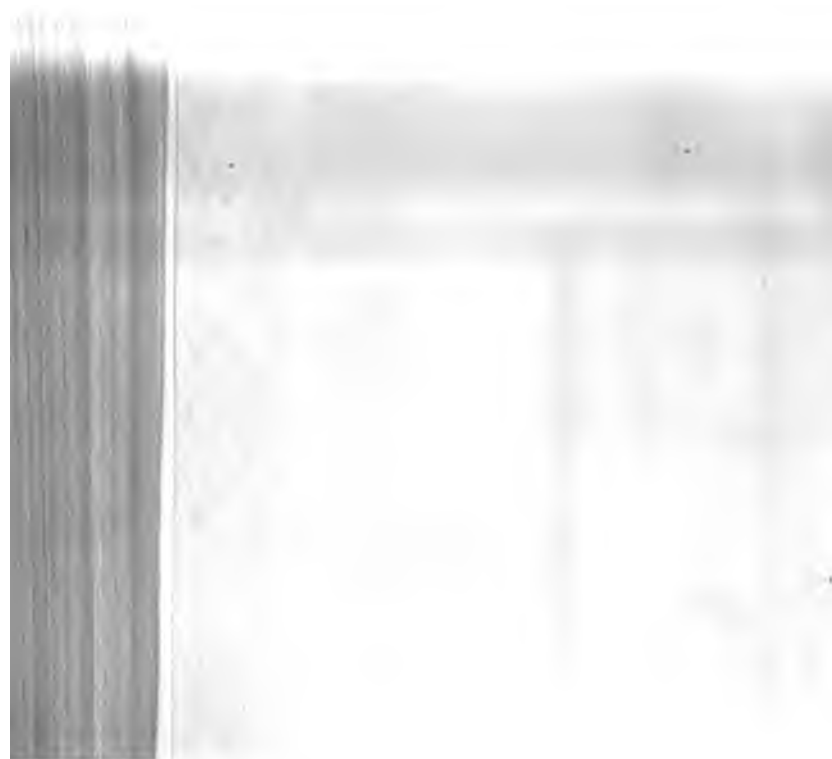
" ' O ! take me from a world I hate,
 " ' Men cruel, selfish, sensual, cold ;
 " ' And, in some pure and blessed state,
 " ' Let me my sister minds behold :
 " ' From gross and sordid views refin'd,
 " ' Our heaven of spotless love to share,
 " ' For only generous souls design'd,
 " ' And not a man to meet us there.' "

THE END.











STANFORD UNIVERSITY LIB

To avoid fine, this book should be returned
or before the date last stamped below

--	--	--

Stanford University Libraries



3 6105 013 370 148

NON-CIRCULAR

